United Nations S/PV.5970

Security Council

Sixty-third year

Provisional

5970th meeting

Thursday, 4 September 2008, 3 p.m.

New York

President:	Mr. Kafando	(Burkina Faso)
Members:	Belgium	Mr. Belle
	China	Mr. Dai Demao
	Costa Rica	Mr. Weisleder
	Croatia	Mr. Skračić
	France	Mr. Ripert
	Indonesia	Mr. Natalegawa
	Italy	Mr. Terzi di Sant'Agata
	Libyan Arab Jamahiriya	Mr. Ettalhi
	Panama	Mr. Suescum
	Russian Federation	Mr. Dolgov
	South Africa	Mr. Sangqu
	United Kingdom of Great Britain and Northern Ireland	Sir John Sawers
	United States of America	Mr. DeLaurentis
	Viet Nam	Mr. Hoang Chi Trung

Agenda

The situation in Somalia

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

08-49576 (E)

The meeting was called to order at 3.15 p.m.

Expression of thanks to the retiring President

The President (*spoke in French*): As this is the first meeting of the Security Council in September 2008, I should like to take this opportunity to pay tribute, on behalf of the Council, to His Excellency Mr. Jan Grauls, Permanent Representative of Belgium, for his service as President of the Security Council for the month of August 2008. I am sure I speak for all members of the Council in expressing deep appreciation to Ambassador Grauls for the great diplomatic skill with which he conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

The situation in Somalia

The President (*spoke in French*): I should like to inform the Council that I have received a letter from the representative of Somalia, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Duale (Somalia) took a seat at the Council table.

The President (*spoke in French*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Following consultations among the members of the Security Council, I have been authorized to make the following statement on behalf of the Council.

"The Security Council welcomes the signing of a peace and reconciliation Agreement ("the Djibouti Agreement") between the Transitional Federal Government (TFG) and the Alliance for the Re-Liberation of Somalia (ARS) in Djibouti on 19 August 2008, the preliminary work undertaken by the High Level Committee and the Joint Security Committee set up under that Agreement, as well as recent political developments. The Security Council expresses its determination that the Agreement should provide the basis for lasting peace, security and stability for the people of Somalia, including the ultimate withdrawal of foreign forces. The Security Council commends the efforts deployed by the TFG and the ARS to this end and their commitment to peace.

"The Security Council reaffirms its respect for the sovereignty, territorial integrity, political independence and unity of Somalia.

"The Security Council extends its gratitude to the Special Representative of the Secretary-General for Somalia, Mr. Ahmedou Ould-Abdallah, and to the United Nations Political Office for Somalia for mediating dialogue between the parties and garnering support for the political process. The Security Council further expresses its gratitude to the Government of Djibouti for hosting talks between the parties.

"The Security Council calls on the parties to meet all elements of their Agreement in full. In particular, the Council underlines the crucial importance of the parties taking all necessary measures to ensure, without delay, unhindered humanitarian access and assistance to the Somali people, and of the parties and their allies terminating all acts of armed confrontation. The Security Council states its support for the implementation of the Agreement and its intention to review that implementation continuously.

"The Security Council reiterates its strong support for the African Union Mission to Somalia (AMISOM) and urges again the international community to provide financial resources, personnel, equipment and services for the full deployment of AMISOM.

"The Security Council takes note of the parties' request in the Djibouti Agreement that the United Nations, within a period of 120 days, authorize and deploy an international stabilization force. The Council further notes, in this regard, communiqués by the Peace and Security Council of the African Union of 29 June 2008, 8 August 2008 and 20 August 2008.

"The Security Council, acknowledging recent positive political developments in the wake of the Djibouti Agreement, as confirmed by Mr. Ould-Abdallah, reaffirms its willingness, as set out in its resolution 1814 (2008), to consider, at an appropriate time, a United Nations peacekeeping operation to take over from AMISOM, subject to progress in the political process and improvement in the security situation on the ground.

"The Security Council recalls the Secretary-General's contingency planning for a United Nations integrated peacekeeping mission in Somalia, which recommends that plans be put in place for the deployment of an international stabilization force, in the framework of the approach presented by the Secretary-General in his report of 14 March 2008 (S/2008/178).

"In this regard, the Security Council requests that the Secretary-General elaborate on his contingency plans and provide, in consultation with the parties and other relevant stakeholders, a detailed and consolidated description of a feasible multinational force, its mandate and derived tasks, to include, inter alia, the size and geographical scope of that force, progressively deployed, and further provide a detailed concept of operations for a feasible United Nations peacekeeping operation.

"The Security Council further requests the Secretary-General urgently to identify and approach States that might contribute the financial resources, personnel, equipment and services required, stands ready to support the Secretary-General in this regard, and calls upon States to respond favourably.

"The Security Council requests the Secretary-General to report on the implementation of the Djibouti Agreement by the parties, including an update on the conditions on the ground, as well as on his planning, including discussions with potential contributing States, within 60 days."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2008/33.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 3.20 p.m.

United Nations S/PV.5971

Security Council

Sixty-third year

Provisional

5971st meeting

Thursday, 4 September 2008, 3.20 p.m.

New York

President:	Mr. Kafando	(Burkina Faso)
Members:	Belgium	Mr. Belle
	China	Mr. Dai Demao
	Costa Rica	Mr. Weisleder
	Croatia	Mr. Skračić
	France	Mr. Ripert
	Indonesia	Mr. Natalegawa
	Italy	Mr. Terzi di Sant'Agata
	Libyan Arab Jamahiriya	Mr. Ettalhi
	Panama	Mr. Suescum
	Russian Federation	Mr. Dolgov
	South Africa	Mr. Sangqu
	United Kingdom of Great Britain and Northern Ireland	Sir John Sawers
	United States of America	Mr. DeLaurentis
	Viet Nam	Mr. Hoang Chi Trung

Agenda

The situation in Cyprus

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08-49582 (E)

The meeting was called to order at 3.20 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Cyprus

The President (*spoke in French*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

After consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council warmly welcomes the launch of fully-fledged negotiations between the two leaders, under the Good Offices Mission of the Secretary-General, aimed at the reunification of Cyprus.

"The Security Council commends the two leaders for the progress made since their first meeting on 21 March and supports their common approach. The Security Council calls on both sides to continue to work together in a constructive and positive manner in order to reach a comprehensive and durable settlement approved in separate and simultaneous referendums. The Security Council looks forward to progress in the negotiations and reiterates its readiness to support the process.

"The Security Council welcomes the appointment of Alexander Downer as the Secretary-General's Special Adviser and looks forward to being briefed on the progress of the Good Offices process."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2008/34.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 3.25 p.m.

United Nations S/PV.5972

Security Council

Distr.: General
9 September 2008

Original: English

Official communiqué of the 5972nd (closed) meeting of the Security Council

Held in private at Headquarters, New York, on Tuesday, 9 September 2008, at 10 a.m.

In accordance with rule 55 of the provisional rules of procedure of the Security Council, the following communiqué was issued through the Secretary-General in place of a verbatim record:

"On 9 September 2008, the Security Council, pursuant to resolution 1353 (2001), annex II, sections A and B, held its 5972nd meeting in private with the troop-contributing countries to the United Nations Mission in Liberia.

"The Security Council and the troop-contributing countries heard a briefing under rule 39 of its provisional rules of procedure by Ms. Ellen Margrethe Løj, Special Representative of the Secretary-General for Liberia and Head of the United Nations Mission in Liberia.

"Members of the Council, Ms. Løj and representatives of participating troop-contributing countries had an exchange of views."

08-50094 (E) 090908

United Nations S/PV.5973

Security Council

Sixty-third year

Provisional

5973rd meeting

Thursday, 11 September 2008, 10 a.m.
New York

President:	Mr. Kafando	(Burkina Faso)
Members:	Belgium	Mr. Grauls
	China	Mr. Liu Zhenmin
	Costa Rica	Mr. Urbina
	Croatia	Mr. Jurica
	France	Mr. De Rivière
	Indonesia	Mr. Natalegawa
	Italy	Mr. Terzi di Sant' Agata
	Libyan Arab Jamahiriya	Mr. Ettalhi
	Panama	Mr. Arias
	Russian Federation	Mr. Dolgov
	South Africa	Mr. Kumalo
	United Kingdom of Great Britain and Northern Ireland	Sir John Sawers
	United States of America	Mr. Khalilzad
	Viet Nam	Mr. Le Luong Minh

Agenda

Non-proliferation

Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006)

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08-50335 (E)

The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

Non-proliferation

Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006)

The President (*spoke in French*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by His Excellency Mr. Jan Grauls, Chairman of the Security Council Committee established pursuant to resolution 1737 (2006). I now give the floor to Mr. Grauls.

Mr. Grauls (Belgium): This is the seventh 90-day report to the Security Council in accordance with paragraph 18 (h) of resolution 1737 (2006). The report covers the period 14 June to 11 September 2008, during which the Committee held one session of informal consultations. Allow me to begin by updating the Council on a matter I referred to in my previous report.

The Council may recall that, following media reports that a State had publicly announced a contravention of resolutions 1747 (2007) and 1803 (2008) on its territory with respect to the export ban on arms and related materiel from Iran, the Committee addressed letters to the two States concerned seeking clarification and additional information. The Committee has received a reply only from the State that made the announcement, providing explanations of the actions taken by that State to address the situation and containing assurances that that State would continue to fully implement the relevant resolutions.

I shall now turn to issues relating to the implementation of resolution 1737 (2006). Paragraph 13 (d) of the resolution contains an exemption to the assets freeze for activities directly related to the items specified in subparagraphs 3 (b) (i) and (ii) of the resolution, which have been notified by the relevant States to the Committee. The Committee received one such notification from the International Atomic Energy Agency.

Paragraph 15 of resolution 1737 (2006), which also contains an exemption to the assets freeze for contracts entered into prior to the listing of persons and entities in the annexes to resolutions 1737 (2006), 1747 (2007) and 1803 (2008), provides for notifications by the relevant States to the Committee of the intention to make or receive payments or to authorize the unfreezing of funds for that purpose. The Committee received one such notification.

The Committee also received a letter from a Member State informing the Committee of the delivery of items relevant to the construction of the nuclear power plant in Bushehr, Iran.

With regard to reporting by States on their implementation of the relevant measures in all three resolutions, the figures are as follows: 89 reports under resolution 1737 (2006), 76 reports under resolution 1747 (2007) and 56 reports under resolution 1803 (2008).

Let me now turn to a specific measure under paragraph 10 of resolution 1803 (2008). In that paragraph, the Council called upon all States to exercise vigilance over the activities of financial institutions in their territories with all banks domiciled in Iran, in particular with Bank Melli and Bank Saderat, and their branches and subsidiaries abroad, in order to avoid such activities contributing to the proliferation-sensitive nuclear activities, or to the development of nuclear weapon delivery systems, as referred to in resolution 1737 (2006). Yesterday, 10 September, a member of the Committee provided to the other members a briefing on its efforts to implement paragraph 10 of resolution 1803 (2008).

Finally, Mr. President, two letters that were addressed to you and subsequently issued as documents of the Security Council — the first submitted jointly by France, the United Kingdom and the United States on 1 August and the second submitted by Iran on 15 August — were both circulated within the Committee for the information of members. The letter from the three States, which was copied to me in my capacity as Chairman, contained a list of banks domiciled in Iran and their branches and subsidiaries abroad. The list was intended to assist States in their implementation of paragraph 10 of resolution 1803 (2008). The letter from Iran was a direct response to the letter from the three States.

Lastly, the Committee received a written request for certain specific information from a Member State, which the members are currently considering.

The President (*spoke in French*): I thank Ambassador Grauls for his briefing. I now give the floor to the members of the Security Council.

Mr. Khalilzad (United States of America): The United States thanks the Chairman for his report on the actions taken by States in fulfilment of their obligations under resolutions 1737 (2006), 1747 (2007) and 1803 (2008) to take measures to counter the proliferation and development of nuclear technology and ballistic missiles by Iran. I must note that Iran continues to defy the continued demands of this Council to suspend its uranium enrichment programme and activities related to its heavy water reactor and has failed to cooperate with the International Atomic Energy Agency (IAEA) investigations.

The United States believes it essential that Member States fully implement the provisions of resolutions 1737 (2006), 1747 (2007) and 1803 (2008). We encourage all States to take actions that are complementary to those explicitly required by those resolutions, to achieve the international community's ultimate objective of persuading Iran to make a strategic decision to abandon its pursuit of a nuclear weapons capability. Full implementation of the resolutions will maintain pressure on Iran to change course.

We would like to call special attention to the need to implement the provisions of the Council's resolutions regarding Iran's financial institutions. The goal of those provisions is to ensure that Iran's financial sector is not used to fund proscribed nuclear proliferation or missile programmes.

As was mentioned by the Chairman, to help ensure that, on 1 August the United States, France and the United Kingdom distributed to the Council a list of banks domiciled in Iran, which included their branches and subsidiaries abroad. We hope that the sharing of that kind of information will assist other countries in carrying out their obligations under those resolutions. We note that those resolutions apply to all types of financial institutions, including banks and insurance providers.

The United States seeks to aid the Security Council Committee established pursuant to resolution 1737 (2006) in carrying out its mandate to examine information regarding alleged violations of imposed measures and to seek information from all States regarding actions taken by them to implement the imposed measures. It is in that vein that the United States provided a briefing to Council members on 10 September about our own efforts to implement the provisions of the Iran sanctions resolutions related to financial institutions, in particular paragraph 10 of resolution 1803 (2008).

By sharing best practices, we seek to assist other States in deciding how to carry out that vigilance, particularly because we have encountered a number of attempts by Iran to avoid sanctions through the use of deceptive financial practices. Vigilance is a matter for each Member State. We would encourage other countries to share their experiences so that we may help each other implement the provisions of those resolutions more effectively.

Finally, the United States objective remains a diplomatic resolution to this issue. Iran must fully and verifiably suspend its uranium-enrichment-related reprocessing and heavy-water-related activities and cooperate fully with the IAEA, as required by the Security Council.

Mr. Dolgov (Russian Federation) (*spoke in Russian*): We are grateful to the Permanent Representative of Belgium, Mr. Grauls, for his briefing on the work of the Committee established pursuant to resolution 1737 (2006) during the past three months. In that period, under the leadership of Mr. Grauls, the Committee has worked in strict compliance with the provisions of resolutions 1737 (2006), 1747 (2007) and 1803 (2008). It is our view that, in its future work, the Committee will continue to be guided by the spirit and letter of those resolutions in trying to achieve its main purpose — the effective settlement of the Iranian nuclear problem through exclusively political and diplomatic means and through talks on the basis of proposals by the six countries.

On that basis, we wish to comment on what we heard in the briefing and in the statement of the representative of the United States, Mr. Khalilzad, with respect to the national implementation of paragraph 10 of resolution 1803 (2008). In that paragraph, the Council calls on all States to exercise vigilance over the activities of financial institutions in their territories with all banks domiciled in Iran, in particular with

Bank Melli and Bank Saderat, and their branches and subsidiaries abroad,

> "in order to avoid such activities contributing to the proliferation sensitive nuclear activities, or to the development of nuclear weapons delivery systems."

We believe that this call is solely a reminder to States to fulfil the relevant requirements of paragraph 6 of resolution 1737 (2006). Thus, the reference in resolution 1803 (2008) to specific Iranian banks does not impose new restrictions regarding financial ties with the credit organizations of Iran. It was mentioned solely to send Iran a further political message on the need to comply with International Atomic Energy Agency and Council requirements in order to settle the Iranian nuclear issue.

States have the right to determine for themselves how they will be vigilant in the context of paragraph 10 of resolution 1803 (2008). If some States require guidance regarding implementation of that paragraph, the optimal solution — and the only solution necessary, as we see it — would be to refer to the 12 October 2007 guidelines of the Financial Action Task Force on Money Laundering on implementation of the financial provisions of resolution 1737 (2006). The Task Force's guidelines, as we all know, are only recommendations.

Mr. De Rivière (France) (*spoke in French*): First of all, I would like to thank the Permanent Representative of Belgium for the quarterly report that he has just shared with us. There are several elements in it that my delegation would like to highlight.

Failures to fulfil the obligations under the resolutions in question were pointed out to the Committee established pursuant to resolution 1737 (2006), and it had to respond. That shows that we all, as Member States that are bound by those obligations, must redouble our vigilance with a view to implementation. That is the case in particular with regard to respect for the prohibition on purchasing, transferring or procuring arms from Iran in any manner.

That also applies to the obligation of States under paragraph 6 of resolution 1737 (2006) to

> "take the necessary measures to prevent the provision to Iran of any... financial assistance, investment, brokering or other services, and the transfer of financial resources or services, related to the supply ... of the prohibited ... goods and technology".

That obligation is clear and unconditional and applies to all States Members without exception. The Council spelled that out further in its resolutions, whether by imposing sanctions on Bank Sepah or by mentioning the particular type of vigilance required with regard to Bank Melli and Bank Saderat.

The States Members are responsible for their own national legislations to implement those obligations. One thing is clear — those obligations are binding and every State must agree conscientiously to implement them. In the Committee and outside, we have heard from many States Members, international financial institutions and private enterprises that would like to obtain more information on how to implement financial vigilance. That concern is understandable. The effect on a reputation and the consequences of violating those obligations by financing those proliferation activities that the Committee is ordering Iran to suspend would be disastrous. That is why, together with the missions of the United States and the United Kingdom, we took the initiative of circulating a list of Iranian businesses that require particular vigilance.

I should also like to thank the mission of the United States for its expert briefings in the Committee on Iranian breaches of those financial requirements. My country, and I believe the Council as a whole, is at the service of any delegation that would like information and clarification on how best to meet its obligations.

Six months after the adoption of resolution 1803 (2008), Iran is clearly in violation of the rules set out by the Security Council — rules that are simple and easy for everyone to understand. Iran continues to develop a nuclear programme that it set up clandestinely, in violation of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), and that the Security Council has asked it to suspend. Iran continues not to cooperate with International Atomic Energy Agency in clarifying the scope and nature of its activities. In particular, it has refused to reply to the Agency on the very clear signs of the militarization of the programme. Finally, Iran refuses to negotiate in good faith with the European Union 3+3, which have made some generous proposals, and last July in Geneva, in the presence of the Political Director of the United States, offered Iran a path back to dialogue.

That is a serious situation, weakening the entire NPT. If Iran continues to elude the scope of international law and at the same time to reject any type of dialogue, it will suffer increasing isolation, as the Council has pledged.

Mr. Terzi di Sant'Agata (Italy): I, too, should like to thank Ambassador Grauls for his comprehensive briefing and efficient leadership of the Security Council Committee established pursuant to resolution 1737 (2006).

Consistent with the position of the European Union, Italy remains committed to solving the Iranian nuclear issue through a dual-track approach based on political dialogue and full implementation of resolutions 1737 (2006), 1747 (2007) and 1803 (2008). In that regard, I wish to recall that, on 7 August, the European Council adopted the Common Position 2008/652/CFSP, aimed at implementing resolution 1803 (2008). That Common Position contains, inter alia, concrete measures to exercise vigilance, as required by resolution 1803 (2008), on relevant financial activities under the guidance of the Financial Action Task Force expressly mentioned in resolution 1803 (2008).

More broadly, I wish to underline that combating the financing of proliferation activities is a firm priority for Italy and an integral part of the global effort against the proliferation of weapons of mass destruction (WMD). Thus, the Italian authorities, and the Bank of Italy in particular, have issued several warnings and are reaching out to the banking system on the need to combat the proliferation of WMDs and the risk involved in maintaining business relations, even unknowingly, with entities connected to proliferation.

An outreach effort is under way to raise the awareness of the private sector of measures adopted pursuant to Council resolutions, and to follow that up concretely, a seminar, organized by the Ministry of Finance together with the United Nations Interregional Crime and Justice Research Institute, will be held on that issue in Rome on 25 September.

Sir John Sawers (United Kingdom): I should like to join my colleagues in thanking Ambassador Grauls for his report and for his work chairing the very important Committee established pursuant to resolution 1737 (2006). My delegation will continue to support him fully in securing the full implementation of resolution 1737 (2006), resolution 1747 (2007) and resolution 1803 (2008).

In order to assist in that task, the United Kingdom, together with our colleagues France and the United States of America, circulated the list of Iranian banks referred to in the report. We believe that sharing information and best practice is a useful and constructive way to improve overall implementation, and by providing additional information about Iran's financial institutions, we believe we can help Member States make better informed decisions on how to carry out their obligations under resolution 1803 (2008), including the call for Member States to exercise vigilance over certain institutions.

We encourage all members of the Council to be transparent and to inform the 1737 Committee of the actions that they have taken to implement the relevant resolutions. That is particularly important given the efforts Iran is making to evade the Chapter VII sanctions.

Last month, the European Union adopted a new Common Position that will assist the effective implementation of those resolutions, especially with regard to financial vigilance, and includes rigorous reporting requirements for Iranian banks.

As the report of Ambassador Grauls makes clear, there is no blanket ban on nuclear-related cooperation with Iran, and it is welcome that his briefing referred to a Member State following the required procedures before going ahead with work related Iran's civil nuclear power programme. We are not trying to prevent Iran having such a programme. In fact, we have offered Iran extensive support to develop its civil nuclear programme in the package provided by Britain, France, Germany, China, Russia and the United States, the so-called European Union (EU) 3+3.

However, we do have very profound concerns about Iran's intentions for its nuclear programme. Taken as a whole, Iran's nuclear activities make no sense to us unless Iran's goal is to develop a nuclear weapons capability.

Three steps are required of Iran. First, Iran must suspend all of its enrichment-related and reprocessing activities. Iran continues to flout that legally binding Security Council requirement for a suspension. Secondly, Iran must fully implement the Additional Protocol and the other measures demanded by the

International Atomic Energy Agency (IAEA). Without that, the IAEA continues to be unable to provide assurances on the absence of undeclared nuclear material and activities in Iran, and it will not be able to determine whether the nature of Iran's programme is exclusively peaceful. Thirdly, Iran must resolve outstanding issues of concern to the IAEA, including what the agency calls "the alleged studies", by delivering fully on all outstanding issues.

It is self-evident that Iran has not met its obligations under those three resolutions. The offer of the EU 3+3 remains on the table, but it is of great disappointment that Iran has not engaged seriously, despite the refreshed offer from the EU 3+3 and the direct participation of a representative of the United States in the meeting with Iranian officials.

Our objective remains a diplomatic solution to this matter and for the international community to be able to build up, over time, international confidence in Iran's intentions, but that requires a much more constructive approach from Iran. To date, its cooperation with the Security Council and with the IAEA has fallen woefully short. Our offer remains on the table, but given the absence of cooperation by Iran, we have no alternative but to start a discussion with our partners on further measures, as signaled in resolution 1803 (2008).

Mr. Liu Zhenmin (China) (*spoke in Chinese*): At the outset, I should like to thank the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006) for his briefing on the work of the Committee and to express our appreciation to Ambassador Grauls for presiding over that work.

Since December 2006, the Security Council has adopted resolutions 1737 (2006), 1747 (2007) and 1803 (2008) on the Iranian nuclear issue. Those resolutions reflected the collective concern of the international community with regard to that issue and were aimed at maintaining the international non-proliferation mechanism in order to strengthen the authority and role of the International Atomic Energy Agency and to advance diplomatic efforts to peacefully resolve the Iranian nuclear issue.

All States have the obligation to implement those resolutions in a comprehensive and conscientious manner. China attaches importance to and has strictly fulfilled its obligations under those resolutions and has, in a timely manner, submitted three reports on their implementation. At the same time, we would like to emphasize once again that the sanctions are not an end in themselves and cannot fundamentally resolve the Iranian nuclear issue. The best option is to resolve the issue peacefully through diplomatic negotiations.

There is now a rare opportunity to resume the negotiations on the Iranian nuclear issue. We hope that the parties concerned will seize that opportunity, demonstrate flexibility and work hard to help the situation develop in a peaceful direction, seeking a comprehensive, lasting and appropriate resolution of the Iranian nuclear issue.

China has consistently supported maintaining the international non-proliferation mechanism and opposed the proliferation of nuclear weapons. We do not want to see any new turbulence in the Middle East region, and we advocate the peaceful resolution of the Iranian nuclear issue through diplomatic negotiations. We will continue to participate actively in the work of the Committee established pursuant to resolution 1737 (2006). We will support and cooperate with its Chairman in relevant efforts and seek to ensure that it plays a constructive role in properly resolving the Iranian nuclear issue.

The President (*spoke in French*): There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.45 a.m.

United Nations S/PV.5974

Security Council

Sixty-third year

Provisional

5974th meeting

Thursday, 18 September 2008, 10 a.m.

New York

President:	Mr. Kafando	(Burkina Faso)
Members:	Belgium	Mr. Grauls
	China	Mr. Liu Zhenmin
	Costa Rica	Mr. Urbina
	Croatia	Mr. Jurica
	France	Mr. Ripert
	Indonesia	Mr. Kleib
	Italy	Mr. Terzi di Sant'Agata
	Libyan Arab Jamahiriya	Mr. Mubarak
	Panama	Mr. Arias
	Russian Federation	Mr. Shcherbak
	South Africa	Ms. Qwabe
	United Kingdom of Great Britain and Northern Ireland	Ms. Pierce
	United States of America	Mr. Khalilzad
	Viet Nam	Mr. Bui The Giang

Agenda

The situation in the Middle East, including the Palestinian question

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08-50997 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President (*spoke in French*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Robert Serry, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General.

It is so decided.

I invite Mr. Serry to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Robert Serry, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General. I now give him the floor.

Mr. Serry: Ten months after negotiations were re-launched at Annapolis, and with just over three months left until the end of the year, the Middle East peace process stands at a crossroads. While there are some positive developments, there are also several factors that cause concern. The important period ahead must see decisive advances towards peace.

Bilateral negotiations between Israel and the Palestine Liberation Organization have continued. Israeli Foreign Minister Livni and Palestinian Chief Negotiator Qureia met in the presence of Secretary of State Rice on 26 August. President Abbas and Prime Minister Olmert met on 31 August and again on 16 September, in advance of Prime Minister Olmert's anticipated departure from office. It appears so far that no agreement has been reached on the core issues. However, it also appears that there have been substantive discussions, whose potential must be built upon through a continuation of intensive negotiations.

Yesterday, members of the Kadima party elected as their new leader current Foreign Minister Livni, who has announced her intention to form a new Israeli Government. We look to an urgent continuation of the negotiations and for all parties to honour their Annapolis and Road Map commitments.

Notwithstanding the prevailing uncertainties surrounding the political process, the largely unsung success story is the gradual but systematic process of Palestinian self-empowerment that has taken place in the West Bank under the leadership of President Abbas and Prime Minister Fayyad. Those Palestinian efforts are incomplete and imperfect, and they face many obstacles, but they are real. They reflect a determination to build the institutions of a future Palestinian State despite the unresolved conflict.

The Palestinian Authority continues to make real strides in the implementation of its security plan. This includes action against militants in accordance with obligations under phase I of the Road Map. For example, I visited Nablus at the end of August and saw how stability and a degree of normality have returned to the city. Several militant groups have disbanded, and armed men have left the streets. Smuggling has been severely curtailed. Law and order has returned, and with it the beginnings of a resurgence of economic life. That pattern is also apparent in many other cities and towns that the Palestinian Authority administers in the West Bank.

During the reporting period, for example, Palestinian Authority police raids near Hebron led to the arrest of 55 Palestinians on charges of drug and weapon's smuggling, and Prime Minister Fayyad has informed me that further improving the security conditions in Hebron is a high priority for his Government. Donors are demonstrating their support for the Authority's efforts: this month, a joint agreement was concluded between Germany and the Palestinian Authority to establish 55 new police stations in the West Bank.

In pursuing its reform and development plan, the Palestinian Authority has also made notable gains in other areas, including public finance and the initiation of microfinance projects. Budget and planning procedures are being further integrated. Those efforts will be highlighted when the Ad Hoc Liaison Committee meets on 22 September here in New York. Significant hurdles remain, however. Reports by the

World Bank and the International Monetary Fund describe a stagnant economic climate as a result of continued restrictions on movement and access.

The Palestinian Authority also faces a looming liquidity crisis, with neither enough funds nor enough borrowing capacity to pay salaries unless additional budget support is secured in October. Despite recent transfers of donor funds, the previously reported fiscal gap of about $400 million for the last quarter of 2008 persists. We therefore urge donors that have yet to fulfil their pledges to do so urgently.

A reflection of improved security is that the casualty rate from violent clashes this past month is one of the lowest in recent years. There were, however, several clashes, leaving two Palestinians, including one child, dead and 128 Palestinians injured, 84 of them children, in addition to 11 Israelis injured during the reporting period, including one child. Thirty per cent of the Palestinian injuries occurred from tear gas and rubber-coated metal bullets fired during anti-barrier protests in Ni'lin and Bil'in villages.

I am pleased to note that the Government of Israel released 198 Palestinian prisoners on 25 August as a goodwill gesture to President Abbas prior to the start of Ramadan. The Israel Defense Forces (IDF) dismantled a manned checkpoint in the central West Bank, thereby allowing over 40,000 Palestinians living in an enclave surrounded by the Barrier to travel to and from Ramallah without delay.

However, over 600 obstacles to movement remain across the West Bank, together with a weekly average of 65 random so-called flying checkpoints. The action taken to ease closure to date is not enough to enable the Palestinian Authority's security and economic efforts. On his recent visit to the region, Quartet representative Blair highlighted the need for checkpoints to work effectively, ahead of their eventual removal, and it is clear that insufficient progress had been made in that regard. In an illustration of the problems that persist at checkpoints, a baby was stillborn at a checkpoint on 4 September. Her mother, who was in premature labour, had been kept waiting for over an hour by IDF soldiers whilst trying to reach a hospital in Nablus.

Settler violence intensified this month, with a gang of armed Israeli settlers from the settlement of Yitzhar attacking a Palestinian village on 13 September, firing at residents and destroying and vandalizing property and agricultural land. We note the Israeli Government's condemnation of that lawless violence, which cannot be justified by the earlier attack in the settlement by a Palestinian man, which left an Israeli child injured. However, credible action to bring perpetrators of such crimes to justice has been lacking and is essential.

Settlement activity continues to take place across the West Bank and East Jerusalem. Construction is ongoing in the majority of approximately 120 settlements on both sides of the barrier. A further tender was announced on 7 September for 32 more units in Betar Illit in the Gush Etzion bloc adjacent to Bethlehem. Today, Israeli security forces reportedly evacuated settlers from the settlement outpost of Yad Ya'ir in the West Bank.

The Secretary-General has repeatedly stated that all settlement activity in the occupied Palestinian territory, including East Jerusalem, is contrary to the Fourth Geneva Convention and Israel's commitments under the road map and the Annapolis process. His repeated calls, and those of the Quartet as a whole, have not brought about significant action. Rectifying that unacceptable situation should be the urgent priority of any new Israeli Government.

Palestinian institutions in East Jerusalem remain closed by Israeli order, contrary to the road map. Barrier construction continued around East Jerusalem and within the West Bank, in deviation from the Green Line and contrary to the Advisory Opinion of the International Court of Justice.

The Secretary-General is also closely monitoring developments concerning the site of the Mughrabi Gate in the Old City of Jerusalem and encourages all parties to cooperate in the ongoing process, under the auspices of UNESCO, and to refrain from any unilateral measures.

I now turn to the situation in Gaza, where the United Nations continues its efforts to address the complex humanitarian, human rights, political and security factors underlying the ongoing crisis.

The one area where there is positive news is security. The ceasefire has continued to hold during the reporting period. Hamas has made efforts to prevent the launching of rockets and mortars into Israel and, during the reporting period, two rockets and one mortar were launched. No IDF incursion or air strike was

reported during this period; the IDF has responded to isolated rocket fire by closing crossings for a period. One Palestinian was injured by IDF fire in southern Gaza.

On all other fronts, there is little positive to report. The humanitarian situation is extremely grim, given continued closure. The Rafah crossing was open for two days at the end of August, and patients and businessmen with permits are allowed through Erez crossing. Otherwise, movement into and out of the Strip remains largely restricted. During the reporting period, imports decreased by 21 per cent compared with the previous four weeks. Whilst the amount of truckloads carrying cement almost doubled, it still represents a small percentage of market demand. The import of all types of fuel remains below previous levels, particularly for diesel and petrol, which disrupts the provision of basic services, such as electricity and water.

United Nations priority projects in Gaza — a subject which the Secretary-General has raised with Prime Minister Olmert — remain stalled as a result of the shortage of materials, in particular cement, in the Strip. Other vital commodities, such as spare parts needed for the maintenance of the public health and water infrastructure sectors, raw industrial materials, furniture, electronics and school uniforms, have been allowed into Gaza in very limited quantities. The shortage of raw materials, combined with the total ban on exports, has kept more than 95 per cent of Gaza's local industry closed. We continue to support all efforts to bring about the controlled opening of the crossings through the presence of the Palestinian Authority.

Hamas' actions are compounding the problems facing Gazans, increasingly divorcing Palestinian institutions from the Palestinian Authority itself and interrupting basic service delivery. Following Hamas decisions to replace head and deputy head teachers with Hamas-affiliated staff and to reallocate thousands of teachers to new schools, a teachers' strike has led to major disruptions in the education sector since the start of the new academic year on 24 August. On 30 August, health workers joined the strike after the dismissal of a number of employees in that sector, forcing hospitals to postpone elective surgery and many health centres to close or suspend services. There are reports of Hamas marching doctors to their hospitals at gunpoint to ensure continuity of critical services. Despite the active efforts of my office to resolve this crisis for the welfare of the population, Hamas' unwillingness so far to restore the status quo ante is blocking a resolution.

Palestinian interfactional violence during the reporting period resulted in the death of 14 people, including two children, and the injury of another 52. Most of the casualties occurred on 15 and 16 September in Gaza City during armed clashes between security forces and militants affiliated with the Hamas authorities and members of one armed clan, after a member of the clan was held responsible for the killing of a Hamas policeman.

It is clear that the only way to begin addressing the overall crisis, and indeed to lay the basis for a two-State solution, is for Gaza to be peacefully reunited with the West Bank within the framework of the legitimate Palestinian Authority and in a manner which allows the peace process to advance. In that context, Egypt has started a consultation process with each of the Palestinian factions to formulate a proposal that could serve as a common national platform, and Egypt's efforts were strongly supported at the Foreign Ministers' meeting held in Cairo by the League of Arab States on 9 September. The United Nations strongly welcomes and supports that important initiative.

We also continue to support Egypt's efforts to secure the release of Israeli Corporal Gilad Shalit, now in his twenty-fifth month of captivity, and a number of Palestinian prisoners, on which no progress has been reported.

The United Nations continues to support efforts under way to further negotiations between Israel and Syria. We note with interest the four-way summit held in Damascus on 4 September among Syria, France, Turkey and Qatar in support of the political process. While no further rounds of indirect talks have been held in the reporting period, we hope that these will be resumed as soon as possible. The situation in the occupied Syrian Golan remained quiet during the reporting period, although Israeli settlement activity is ongoing.

Let me now turn to developments in Lebanon, where both efforts to establish dialogue and security incidents continue to occur.

President Sleiman chaired the first session of the national dialogue on 16 September to discuss a national defence strategy. The next session is scheduled for 5 November. We welcome that process and

encourage all parties to approach the dialogue in a spirit of cooperation, and to exert every effort towards a positive outcome.

On 8 September, in the presence of Prime Minister Siniora, representatives of the Sunni and Alawite communities in the northern city of Tripoli signed a reconciliation agreement aimed at halting armed clashes in the city, which have claimed the lives of 23 people since May. On 29 August, the Government appointed Brigadier-General Jean Qahwaji as Commander of the Lebanese Armed Forces. The United Nations looks forward to working closely with him.

Despite those positive developments, the security situation remained precarious. On 28 August, Army First Lieutenant Samer Hanna was killed when his helicopter was fired upon over Sojoud Hills in south Lebanon. Hizbullah admitted responsibility for the incident and surrendered one of its members to judicial authorities. The military prosecutor has opened an investigation into the incident. On 10 September, Saleh Aridi, a member of the Lebanese Democratic Party, was killed by an explosion that tore through his car. The Secretary-General and the Security Council condemned the attack.

On 16 September, there were clashes in the Bekaa Valley and renewed fighting in the Palestinian refugee camp of Ain el-Helweh. The day before, several explosions occurred in several areas of Beirut; fortunately, there were no casualties. On 17 September, two people were killed in Bsarma, northern Lebanon, when rival Christian groups clashed.

The situation in the area of operations of the United Nations Interim Force in Lebanon (UNIFIL) has remained generally quiet. On 6 September, south of the Blue Line, the Israel Defense Forces apprehended a Lebanese civilian carrying a pistol who had been involved in a drug smuggling operation. South of the technical fence, Israeli police also apprehended three Israeli citizens involved in the same operation. Israel's air violations continued on a daily basis throughout the reporting period.

In the first days of September, the Lebanese Armed Forces undertook a temporary redeployment of troops from southern Lebanon in order to address security concerns in and around the northern city of Tripoli. Having informed UNIFIL in advance, the Lebanese Armed Forces redeployed one light infantry brigade to the north of the country. Meanwhile, the majority of troops who had been redeployed north previously were returned south. Coordinated activities between the Lebanese Armed Forces and UNIFIL continue in the area of operations.

President Abbas visited Lebanon on 28 and 29 August for the first time since 2005. President Abbas met President Sleiman, Prime Minister Siniora and members of all Lebanese factions and religious leaders, in a positive and important step forward in Palestinian-Lebanese relations.

Looking ahead, in the coming days, a number of important meetings hosted by the Secretary-General will take place to review the peace process and chart the way ahead: the Ad Hoc Liaison Committee will meet next Monday and the Quartet will meet on 26 September; Quartet members will also attend an *iftar* with Arab partners. The Secretary-General will be doing all he can to ensure that those meetings consolidate the gains made and address areas where more must be done — in terms of the Israeli-Palestinian negotiations themselves, efforts to achieve Palestinian reconciliation, the all-important situation on the ground in both the West Bank and Gaza and the broader regional picture. We must continue to strive for agreement on all core issues in accordance with the agreed time frame of Annapolis. Based on that framework and on the decisions taken at the last Quartet meeting, in May, the Quartet will discuss the way ahead and next steps in international support for the process when it meets next week.

The Secretary-General will continue to work to secure the implementation of international law and Security Council resolutions in order to achieve the vision of two States living side by side in peace and security, and a just and lasting comprehensive regional peace in the Middle East.

The President (*spoke in French*): I thank Mr. Serry for his briefing.

In accordance with the understanding reached in the Council's prior consultations, I now invite Council members to informal consultations to continue our discussion of the subject.

The meeting rose at 10.35 a.m.

United Nations S/PV.5975

Security Council

Distr.: General
19 September 2008

Original: English

Official communiqué of the 5975th (closed) meeting of the Security Council

Held in private at Headquarters, New York, on Friday, 19 September 2008, at 10 a.m.

In accordance wi h rule 55 of the provisional rules of procedure of the Security Council, the following communiqué was issued through the Secretary-General in place of a verbatim record:

"On 19 September 2008, the Security Council, pursuant to resolution 1353 (2001), annex II, sections A and B, held its 5975th meeting in private with the troop-contributing countries to the United Nations Mission in the Central African Republic and Chad.

"The Security Council and the troop-contributing countries heard a briefing under rule 39 of its provisional rules of procedure by Mr. Victor Da Silva Angelo, Special Representative of the Secretary-General and Head of the United Nations Mission in the Central African Republic and Chad.

"The Security Council and the troop-contributing countries also heard briefings under rule 39 of its provisional rules of procedure by Ms. Ann-Marie Orler, Deputy Police Advisor of the Department of Peacekeeping Operations(DPKO); Colonel Ian Sinclair, Chief of Staff of the Office of Military Affairs of DPKO; Lieutenant Colonel Adrian Garside, Office of Military Affairs of DPKO; and Mr. Badri Poudel, Senior Support Officer of the Department of Field Support.

"Members of the Council, Mr. Angelo, Ms. Orler, Mr. Sinclair, Mr. Garside, Mr. Poudel and representatives of participating troop-contributing countries had an exchange of views."

08-51219 (E) 190908

United Nations S/PV.5976

Security Council

Sixty-third year

Provisional

5976th meeting

Friday, 19 September 2008, 10.30 a.m.

New York

President:	Mr. Kafando	(Burkina Faso)
Members:	Belgium	Mr. Grauls
	China	Mr. Du Xiacong
	Costa Rica	Mr. Urbina
	Croatia	Mr. Jurica
	France	Mr. Ripert
	Indonesia	Mr. Kleib
	Italy	Mr. Mantovani
	Libyan Arab Jamahiriya	Mr. Ettalhi
	Panama	Mr. Arias
	Russian Federation	Mr. Dolgov
	South Africa	Mr. Kumalo
	United Kingdom of Great Britain and Northern Ireland	Mr. Quarrey
	United States of America	Ms. DiCarlo
	Viet Nam	Mr. Le Luong Minh

Agenda

The situation in Chad, the Central African Republic and the subregions

Report of the Secretary-General on the United Nations Mission in the Central African Republic and Chad (S/2008/601)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

08-51167 (E)

The meeting was called to order at 11 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Chad, the Central African Republic and the subregion

Report of the Secretary-General on the United Nations Mission in the Central African Republic and Chad (S/2008/601)

The President (*spoke in French*): I should like to inform the Council that I have received letters from the representatives of the Central African Republic and Chad, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

On behalf of the Council, I extend a warm welcome to the Minister for Foreign Affairs of the Central African Republic, His Excellency Mr. Dieudonné Kombo Yaya.

At the invitation of the President, Mr. Kombo Yaya (Central African Republic) and Mr. Allam-mi (Chad) took seats at the Council table.

The President (*spoke in French*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Victor da Silva Angelo, Special Representative of the Secretary-General and head of the United Nations Mission in the Central African Republic and Chad.

It is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the United Nations Mission in the Central African Republic and Chad, contained in document S/2008/601.

At this meeting, the Security Council will hear a briefing by Mr. Victor da Silva Angelo, Special Representative of the Secretary-General and head of the United Nations Mission in the Central African Republic and Chad, to whom I give the floor.

Mr. Angelo (*spoke in French*): I thank you, Sir, for giving me the opportunity to introduce the report of the Secretary-General on the United Nations Mission in the Central African Republic and Chad (MINURCAT) of 12 September 2008.

The report covers the principal developments in politics, the security situation and humanitarian concerns since the last report of the Secretary-General of 8 July 2008 (S/2008/444). It also shares the findings of the joint United Nations-European Union midterm review of the implementation of resolution 1778 (2007) and recommendations for arrangements following the end of the mandate of the European Union-led military force in Chad and the Central African Republic (EUFOR).

Before providing an overview of the key elements of the concept of operations of a possible United Nations presence following the end of the EUFOR mandate, I should like to refer to the situation in eastern Chad and the north-eastern Central African Republic, and to the activities of MINURCAT during the most recent reporting period.

The situation in Chad remains fragile. There has been some progress on the political front, including the signing by eight additional political parties of the 13 August 2007 agreement on electoral and institutional reforms. The implementation of the agreement has been somewhat limited, however, and we shall have to encourage the various parties to accelerate it.

There has been no significant progress with respect to the implementation of the Sirte agreement of 25 October 2007 between the Government of Chad and the main armed opposition groups. Furthermore, instability and insecurity could increase after the imminent end of the rainy season, when the roads will become passable and rebel activities will resume.

Relations between Chad and the Sudan remain tense, despite the regular meetings of the contact group established under the Dakar Accord of 13 March 2008. The group met on 12 September and achieved positive results. Indeed, Chad and the Sudan agreed on that

occasion to exchange ambassadors and to reopen their embassies before the next meeting of the contact group. The decision to hold that meeting in N'djamena was an additional confidence-building measure. An intensive political dialogue must now be held at the highest level — either national or regional — to maintain the momentum created in Asmara. The international community must be prepared to support the process with renewed vigour, as it remains fragile.

Eastern Chad currently hosts over 290,000 refugees and more than 180,000 internally displaced persons (IDPs), who continue to rely on humanitarian aid for their survival. The spontaneous and voluntary return of IDPs has been halted by a lack of the basic social services and national capacities necessary to socio-economic recovery, strengthened local administration and the restoration of the rule of law. Above all, however, the main obstacle to return is the problem of security.

MINURCAT has begun providing security, logistical support and security information to the humanitarian community, but the protection of civilians remains of major concern. Villages are attacked regularly, impunity remains a critical issue and criminal acts are rarely investigated or are often dismissed, given the weakness of the judicial institutions. Vulnerable groups, in particular women and children, are often the most severely affected. Refugee camps in eastern Chad are allegedly being used by rebels as places of rest and recruitment. Refugee camps, sites for displaced persons and villages are targeted for forced recruitment, especially of children.

Alongside the Office of the United Nations High Commissioner for Refugees and the United Nations Children's Fund, MINURCAT is currently conducting an inventory of cases of child recruitment in eastern Chad, in close cooperation with the Chadian ministries concerned. The first part of that exercise has begun, and the exercise itself should be concluded in early October.

In the Central African Republic, it must be said that the security situation in the Vakaga region in the north-eastern part of the country remains volatile. The presence of MINURCAT and EUFOR have encouraged the Government of the Central African Republic to strengthen its administrative presence in the area, but the situation remains fragile and must be supported. However, the access of humanitarian workers to the Sam Ouandja refugee camp remains very problematic and the convoys of non-governmental organizations are often attacked and threatened.

I should like to say a few words concerning the deployment of MINURCAT. As of 18 September, MINURCAT had 768 of the 1,500 authorized staff members, including 210 United Nations police officers and 45 military liaison officers. Fifty United Nations police officers are currently deployed on the ground outside N'djamena. We have 37 in Abéché, five in Bangui, seven in Farchana and in Goz Beida, and two in Iriba. The civilian portion of the Mission is currently deployed in all sectors: N'Djamena, Abéché, Farchana, Goz Beida, Iriba, Birao and Bangui. We continue to deploy United Nations police and other personnel as premises are built and as logistical infrastructure is put in place.

Current mission support agreements include a construction contract signed with Pacific Architects and Engineers (PAE), a technical agreement with the European Union-led military force in Chad and the Central African Republic (EUFOR) for support for United Nations personnel deployed in EUFOR camps, and contracts for fuel and food supplies signed locally.

Police stations, offices, accommodation and other vertical structures are being built despite difficult rainy-season conditions. Although security could deteriorate with the arrival of the dry season, the dry season would speed the building of police stations in remote sites such as Iriba and Bahai and could make it possible to complete the work at Abéché, Farchana and Goz Beida. Once that is done, nearly full deployment will be possible on the ground. Even though MINURCAT's deployment will not be complete until December, the impact of our presence is already visible in eastern Chad and the north-eastern Central African Republic. I want to highlight our excellent cooperation and relations with the Governments of Chad and the Central African Republic and with United Nations agencies and our other partners in our area of operations.

Concerning the deployment of the Integrated Security Detachment — the Détachement intégré de sécurité (DIS) — the Mission continues to work closely with the Chadian authorities to accelerate the training and deployment of DIS personnel. Three hundred eighteen DIS officers have been trained by

MINURCAT, and the next group of DIS officers has been selected, and their training will begin on 22 September.

United Nations police and newly trained DIS officers have recently carried out a series of reconnaissance missions on the sites of their future deployment. On 15 September, 28 DIS officers were on the ground at Abéché. On 16 September 44 additional DIS officers were added; they are carrying out pre-deployment missions elsewhere in eastern Chad. Thus, there are now 72 DIS officers on the ground in eastern Chad, under the supervision of United Nations police and officers from MINURCAT. Although the memorandum of understanding with the Government concerning the DIS was signed on 14 August, the presidential decree officially establishing the Detachment has yet to be signed. In the absence of such a document, which would recognize the legal status of the DIS under domestic law, the Detachment cannot be fully deployed, which has delayed its presence on the ground. But, when the presidential decree is signed, which could be in the coming days, it is planned that DIS officers already trained will be deployed in eastern Chad as anticipated.

Turning to the rule of law, the rule of law programme of MINURCAT is cooperating with the local authorities to strengthen judicial institutions, harmonize traditional justice with the modern judiciary system and facilitate access to justice by all, by supporting the development of mobile courts and effective legal clinics.

Turning to civil affairs, civil affairs officers are on the ground and are working closely with United Nations agencies, in particular the Office of the United Nations High Commissioner for Refugees (UNHCR), and with local authorities. Their present objective is basically to facilitate inter-community dialogue. Also through civil affairs officers we are carrying out a number of quick-impact projects aimed at strengthening local governance institutions. These projects fall within the realm of governance, justice and prisons, and they do not compete with the projects of humanitarian actors: rather, they complement them.

In the realm of human rights, MINURCAT human rights officers have followed and investigated cases of human rights violations, including persistent cases of sexual violence and gender-based violence against refugees and displaced persons, and the continued recruitment of child soldiers by parties to the conflict in eastern Chad and in the Sudan. Our humanitarian liaison officers, we believe, are carrying out work that is crucial in terms of paying heed to the needs of humanitarian actors and responding to their security and security information requirements.

In the framework of resolution 1325 (2000), MINURCAT has strengthened its coordination mechanisms with relevant ministries in Chad to increase the number of women involved in security matters, especially with regard to the protection of women and children in refugee camps and internally displaced person sites. For example, new training will begin on Monday for 50 women police officers and gendarmes; they will also serve as DIS officers.

Our relations and our cooperation with EUFOR has been excellent. Should the Council approve the recommendations set out in the report of the Secretary-General (S/2008/601), MINURCAT and EUFOR will take the necessary measures to prevent a security vacuum during the transition from EUFOR to a possible United Nations force. For such a transition to be as smooth as possible, it is crucial that at least minimal air transport, medical, engineering and logistics capacities be available on the ground before any transfer of responsibility. Placing under United Nations command some contingents already deployed in the theatre of operations and transfer to the United Nations of all sites and infrastructure set up by EUFOR would significantly expedite the process. It will also be necessary to ensure the availability of additional troops from other contributing countries, with a minimum of operational capacity, so that the deployment can take place by March 2009. It will also be crucial for the success of the mission that the mission maintain its impartiality with respect to internal and external conflicts and that it enjoy total freedom of movement, including on the principal supply routes in Chad. I should add that this has been the case to date. The Government of Chad has fully met its commitments with respect to our freedom of movement on its national territory.

As the Secretary-General points out in his report, the expansion of MINURCAT to include a military component would be effective only if in addition to its present mandate the Mission were mandated to support Chadian stakeholders in addressing underlying causes of insecurity relevant to the safe and voluntary return of refugees and internally displaced persons. In that connection, the United Nations remains prepared to

help the Government to strengthen its mechanisms to ensure a stable and peaceful environment.

If the Security Council should decide to authorize the deployment of a United Nations force to replace EUFOR in the Central African Republic, as requested by the Governments of the Central African Republic and Chad and as requested by humanitarian actors in the Central African Republic, the needs and the role of the force would need to be carefully assessed.

The Security Council resolution continues to be crucially important for the stability of Chad and the Central African Republic. The security threat — in particular, from heavily armed criminal groups — remains a major problem in the area of operations. With its deterrent role, EUFOR has had a positive impact, and with the deployment of the DIS and the United Nations police, we can hope that security will be further enhanced. A concerted effort from DIS, the local Chadian authorities, United Nations police, and from security, civilian affairs, human rights and other components, as well as from EUFOR will be decisive in conditions conducive to return, in creating a safer life for refugees, displaced persons and the local population, and in resolving local tensions.

However, a significant return of refugees and displaced persons is not very likely in the short term. Only an improvement in the security conditions and more effective and participatory local administration can ensure a safe return for those who have long been affected by conflict.

I would also like very quickly to display a few photographs. The first is my way of thanking the Security Council for having come to visit us in the month of June. That visit was very useful.

The next photograph shows the presidency of the meeting of the Dakar contact group in Asmara, which includes the Minister for Foreign Affairs of Eritrea and the Minister for Foreign Affairs of Libya. This photograph highlights the importance of supporting the Dakar process.

The next photograph is the same as the previous one, except that we can see the delegation of Chad face to face with the delegation of the Sudan on the other side. I have to say that the two Ministers spent a lot of time talking to each other in the corridors.

In the next photograph, we see one of our frequent meetings with all the local authorities. Specifically, this photograph shows the meeting between the Special Representative and all the sub-prefects of the Ouaddai region to discuss security matters and how to strengthen the capacities of the sub-prefects and the local administrative authorities.

Next we see, unfortunately, that the displaced persons camps are not set up as well as the refugee camps. I believe that that is one of the questions that we will have to attend to in the future. The Mission and the mandate will have to pay more attention to the question of displaced persons and ensure a balance between the attention given to refugees and that given to displaced persons.

We are going to see one or two more photographs of the displaced persons camps. In this photograph, we can see the conditions in which the displaced persons live in the huts visible in the foreground of the image. The next photograph is also of huts inhabited by displaced persons. I have no photographs of the refugees, but we can easily see that conditions in the refugee camps are certainly better.

The next photograph shows one of the DIS training officers. I have to say that the selection of the DIS trainees, whether they come from the gendarmerie or from the police, was very rigorous. The Government greatly invested in the selection of candidates, and we have been truly impressed by the quality of the people that we are training.

We also trained national trainers. It is not only United Nations trainers who are now doing the training, but also officers from the police and from the national gendarmerie who are doing the training and who were trained by us.

The President (*spoke in French*): I thank Mr. Victor da Silva Angelo for his briefing.

I now give the floor to the Minister for Foreign Affairs of the Central African Republic, Mr. Dieudonné Kombo Yaya.

Mr. Kombo Yaya (Central African Republic) (*spoke in French*): The delegation of the Central African Republic which I am leading is pleased to see the Security Council, under the presidency of Burkina Faso, consider the Secretary-General's report on the United Nations Mission in the Central African Republic and Chad (MINURCAT) (S/2008/601). My delegation would like to thank you, Sir, and Council members for having been kind enough to give us this

opportunity to take the floor on a subject of such concern for our country, namely, the presence of the European Union-led military force in Chad and the Central African Republic (EUFOR) in the north-eastern part of our country.

Mr. Victor da Silva Angelo, the Special Representative of the Secretary-General and head of MINURCAT, has just given us an excellent briefing replete with facts that should guide the Council in its deliberations. The vision of a stable and secure area does credit to the Mission. MINURCAT has potential that, if used well in eastern Chad and the north-eastern Central African Republic, could lead to peace and stability there.

My delegation gladly accepts the report of the Secretary-General before us today and endorses the recommendations that figure in it. Among those, the analysis of data, the relationships among protagonists, the difficult geographical conditions for workers on the ground, the doctrine founded on the presence of outside forces, the transitional period between the end of the EUFOR mandate and the takeover by a strengthened MINURCAT are issues that characterize and require serious consideration of what is happening on the ground. The report indicates, among other things, that, with respect to the Central African Republic, the Security Council should take a stand on the recommendations to be made by the Secretariat on the consequences of a post-EUFOR presence. In that respect, I would like to make a few comments.

As the Council knows, the Central African Republic is emerging from a recurring conflict that has lasted for more than a decade. It is coming back slowly but surely thanks to the international community. As a result, we are now in a post-conflict period. Since last 12 June, the Central African Republic was added to the agenda of the Peacebuilding Commission, which was extremely encouraging for us. The number of hotbeds of tension has considerably decreased and significant progress in dialogue and in reconciliation has been made. Public finances have been straightened out security sector reform is in the process of being developed, and a post-conflict programme has been initiated. The State has set its main priorities with regard to security sector reform, good governance, the rule of law, the disarmament, demobilization and reintegration of ex-combatants, and projected development plans.

Our achievements, such as the calm in north-eastern Central African Republic, thanks to the presence of EUFOR, must be preserved and consolidated. Moreover, a country is rebuilt in stages, especially when its administrative structures have been in decline for so long.

Given the fragility of our country in terms of security and humanitarian, economic and social affairs, and the fact that the security sector is only in the early stages of reform, I would reiterate, on behalf of my Government, our hope for an ongoing presence of a military contingent under the banner of the United Nations in the north-eastern part of the country, as President Bozizé said when the Under-Secretary-General for Peacekeeping Operations visited the region on 1 and 2 September. Such a presence is also desired by humanitarian agencies. Accordingly, the Under-Secretary-General also wants humanitarian actors to be protected, with the result that a military contingent's presence remains necessary.

I would ask the Security Council therefore to support recommendations on maintaining a military presence in north-eastern Central African Republic. The return to calm, which we sought with all our heart, should not lessen our vigilance with respect to an unwanted spillover of conflict from elsewhere. We must also maintain a stable and safe environment for all United Nations personnel working in the region. To that end, a military presence is vital.

In conclusion, I would like to pay tribute to the United Nations Peacebuilding Support Office in the Central African Republic for all its tireless efforts to support the Government in the reconciliation and recovery process in my country.

The President (*spoke in French*): I thank the Minister for Foreign Affairs of the Central African Republic, Mr. Kombo Yaya, for his kind words to the presidency of the Council. Once again, we welcome him to New York.

I now give the floor to the Permanent Representative of Chad.

Mr. Allam-mi (Chad) (*spoke in French*): At the outset, I should like to thank the Council for giving us the opportunity to express the position of our country with regard to the report under consideration and in particular to the question of extending the mandate of

the United Nations Mission in the Central African Republic and Chad (MINURCAT) and the European Union-led military force (EUFOR), and its replacement with an extended MINURCAT operation with a military component.

We have asked to take the floor to provide some clarification, because it seemed to us that to some extent our viewpoint was not sufficiently reflected in the Secretary-General's report (S/2008/601). Hearing media comments here and there, we have some details to give Council members.

First, however, we wish to reiterate the readiness of the Chadian Government to cooperate and to facilitate the international community's access to the eastern part of our country so that it may assist and protect refugees and displaced persons, as well as welcome them home. We sometimes forget that they are victims of the situation.

At one point, at the highest level we questioned the usefulness and effectiveness of the operation. There was some tendentious speculation to the effect that we regretted EUFOR's neutrality, while others say EUFOR was there to protect the N'Djamena Government because many of its staff were from a friendly country. That is not so. EUFOR-MINURCAT has a very specific and very clear mandate. The question is one of effectiveness and a clearly defined mandate. A clearly defined mandate will obviously be more effective in confronting what the Special Representative of the Secretary-General, Mr. Angelo, called insecurity, which remains a source of concern. It is also a question of the tenuous fate of the displaced and migrant populations, the high cost of living caused by a significant international presence, reconstruction and the return of the displaced to their places of origin.

I recall the President of Chad's assertion that he would accept EUFOR's arrival precisely to enable the reconstruction and relocation of the displaced to their places of origin, but that did not happen. Perhaps it has only just begun. Humanitarian staff is being targeted and equipment stolen and damaged. Who is to blame? Not the Government of Chad, which is often put forward as a scapegoat.

The international community's task is a lengthy one that needs much time to develop a truly secure framework for a true neutralization and securitization of the zone under the protection of the international Mission. The goal is to neutralize and secure that zone to prevent any insurgents, be they Sudanese or Chadian, from exploiting the situation by entering the security zone and the refugee camps to recruit children and stocking up on supplies. The objective is to protect the people from abuse. That is truly the case, yet as soon as a Sudanese insurgent is seen exploiting the situation and moving through the region, the Government of Chad is accused of supporting the Sudanese insurgency.

That is not accurate. Chad had to help the Government of the Sudan to resolve its crisis and even to fight the rebellion, in particular the Justice and Equality Movement. In return, however, we experienced the situation of which all are aware. We therefore wonder what the idea of "protection" means. Does it rule out armed intervention to confront any military incursion in the protected zone? If so, we in Chad feel that that would be akin to asking a bodyguard not to react in the face of aggression towards the object he is protecting. We therefore insist on the need clearly to define the mandate of the international Mission, in particular its military dimension. We are facing soldiers who are armed to the hilt, whom the police or gendarmes would not be capable of stopping. The troops of the Chadian Government are concerned about the border situation. Their role must be clearly defined to avoid misunderstanding.

We must bear in mind that this is a very special mission — one that is essentially humanitarian in nature but not a classical peacekeeping operation. We must not disappoint the populations concerned: the displaced, the refugees and those who host them. We must serve them and not the N'Djamena Government. Since the operation was accepted as humanitarian from the outset, we should like to avoid any subtle deviation that would add confusion by giving it a political mandate advocating particular good offices. Mediation and political agreements exist in other frameworks. Let the parties observe those. We talk of armed opposition, but in our country there is a democratic opposition and a democratic political life. We are trying to build and consolidate our rule of law and democracy. We would have preferred to talk about "armed groups", "rebels" or some other term, but the term "armed opposition", which I think I read in the report, is not appropriate in our view.

The Government of Chad is implementing the Sirte agreement with the armed groups in the context

of the 13 August agreement that we signed with the political parties. Contrary to what is being said, however, that agreement is not simply a technical one to organize elections. It also has a political, economic and social content that takes all of Chad's problems into account and recommends solutions. There is a tendency to present it as a mere technical electoral agreement, which it is not.

I also wish to say that Chad and the President of the Republic are ready to accept the replacement of EUFOR by a military force of the United Nations. But we are requesting further consultations precisely because of those questions, so that we can together define the concept of MINURCAT and the success of a military operation, without having the feeling that our hand is being forced, as well as specify the mandate.

We welcome the fact that, thank God, the Council has interested itself in the issue and that it is already expressing its intention to authorize, at the appropriate time — as I read in the Secretary-General's proposal — the deployment of a MINURCAT military component. We hope that things remain at the level of intentions as we wait for the Secretary-General and Chad to come to a preliminary understanding on the operational and practical aspects of the issue. I would certainly not like to give the Council the impression that the operation is useless; it is supported by the Government of Chad and is useful for the populations concerned. The EUFOR-MINURCAT operation must be maintained. It is a question of improving it and ensuring that its follow-on is carried out by the United Nations under the best possible conditions. That is our objective.

It is true that the international community's presence in the eastern part of our country has a deterrent aspect — which we perhaps do not often see — and thus, even if it is not a peacekeeping operation, that it could contribute to the establishment of conditions for a return to peace in the region.

Before concluding, I must refer to our relations with our neighbour the Sudan. Yes, we signed agreements in Dakar, and since then we have had several meetings in the context of the follow-up committee. During the most recent committee meeting, the Sudanese Government and ourselves, we pledged, in the presence of the international community, to re-establish diplomatic relations between our two countries, it being understood that the Sudan was the country that had broken them and that Chad could not fail to agree to their re-establishment.

As in the past, Chad has the political will to help the Sudan resolve its crisis in Darfur by peaceful means. Thus, we are willing to assist our Sudanese brothers. We hope that this squabble — which is destabilizing the eastern part of our country and threatens security in the subregion — will end. We believe that, once the Darfur issue is resolved, we will no longer be speaking of insecurity in eastern Chad.

The President (*spoke in French*): There are no further speakers inscribed on my list. In accordance with the understanding reached in the Council's prior consultations, I should now like to invite Council members to informal consultations to continue our discussion of the subject.

The meeting rose at 11.45 a.m.

United Nations S/PV.5977

Security Council

Sixty-third year

Provisional

5977th meeting

Monday, 22 September 2008, 1.05 p.m.

New York

President:	Mr. Kafando	(Burkina Faso)
Members:	Belgium	Mr. Grauls
	China	Mr. Pan Xiongwen
	Costa Rica	Mr. Weisleder
	Croatia	Mr. Vilović
	France	Mr. De Rivière
	Indonesia	Mr. Natalegawa
	Italy	Mr. Terzi di Sant'Agata
	Libyan Arab Jamahiriya	Mr. Dabbashi
	Panama	Mr. Suescum
	Russian Federation	Mr. Churkin
	South Africa	Mr. Kumalo
	United Kingdom of Great Britain and Northern Ireland	Sir John Sawers
	United States of America	Mr. Khalilzad
	Viet Nam	Mr. Le Luong Minh

Agenda

The situation in Afghanistan

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08-51419 (E)

The meeting was called to order at 1.05 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Afghanistan

The President (*spoke in French*): I should like to inform the Council that I have received a letter from the representative of Afghanistan, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Tanin (Afghanistan) took a seat at the Council table.

The President (*spoke in French*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2008/610, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

I should like to draw attention to documents S/2008/597 and S/2008/603, containing respectively the texts of two letters dated 9 September 2008 and 12 September 2008 from the Secretary-General addressed to the President of the Security Council.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall now put the draft resolution to the vote.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Belgium, Burkina Faso, China, Costa Rica, Croatia, France, Indonesia, Italy, Libyan Arab Jamahiriya, Panama, Russian Federation, South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Viet Nam

The President (*spoke in French*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1833 (2008).

I now give the floor to those members of the Council who wish to make statements following the voting.

Mr. Dabbashi (Libyan Arab Jamahiriya) (*spoke in Arabic*): My delegation voted in favour of the resolution that has just been adopted. We wish to reaffirm our full support for the Government and the people of Afghanistan in their efforts to bring peace and security to their country. We hope that the adoption of this resolution will assist them in achieving that goal.

However, my country would like to express its concern at the rising number of civilian casualties in Afghanistan as a result of operations carried out by the multinational forces. In that regard, we wish to reiterate that combating terrorism in no way justifies the killing of civilians. During their operations, the multinational forces must make every effort to ensure that Afghan civilians are adequately protected and that the human rights of the Afghan people are protected and guaranteed. Those arrested must be given fair trials and must be held in conditions that are in accordance with international humanitarian law and human rights principles.

The use of force alone cannot achieve peace and security in Afghanistan, which requires a comprehensive dialogue aimed at national reconciliation among all factions of the Afghan people without exception.

The President (*spoke in French*): There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.10 p.m.

United Nations S/PV.5978

Security Council

Sixty-third year

Provisional

5978th meeting

Monday, 22 September 2008, 1.10 p.m.

New York

President:	Mr. Kafando	(Burkina Faso)
Members:	Belgium	Mr. Grauls
	China	Mr. Pan Xiongwen
	Costa Rica	Mr. Weisleder
	Croatia	Mr. Vilović
	France	Mr. De Rivière
	Indonesia	Mr. Natalegawa
	Italy	Mr. Terzi di Sant'Agata
	Libyan Arab Jamahiriya	Mr. Dabbashi
	Panama	Mr. Suescum
	Russian Federation	Mr. Salov
	South Africa	Mr. Kumalo
	United Kingdom of Great Britain and Northern Ireland	Sir John Sawers
	United States of America	Mr. Khalilzad
	Viet Nam	Mr. Le Luong Minh

Agenda

Threats to international peace and security caused by terrorist acts

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08-51426 (E)

The meeting was called to order at 1.10 p.m.

Adoption of the agenda

The agenda was adopted.

Threats to international peace and security caused by terrorist acts

The President (*spoke in French*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

After consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council condemns in the strongest terms the terrorist attack that occurred in Islamabad on 20 September 2008, causing numerous deaths and injuries, including among foreign diplomats. It expresses its deep sympathy and condolences to the victims of this heinous act of terrorism and to their families, and to the people and Government of Pakistan.

"The Security Council underlines the need to bring the perpetrators, organizers, financiers and sponsors of this reprehensible act of terrorism to justice, and urges all States, in accordance with their obligations under international law and resolution 1373 (2001) and consistent with resolution 1624 (2005), to cooperate actively with the Pakistani authorities in this regard.

"The Security Council reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security, and that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed.

"The Security Council further reaffirms the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts. The Council reminds States that they must ensure that any measures taken to combat terrorism comply with all their obligations under international law, in particular international human rights, refugee and humanitarian law.

"The Security Council reiterates its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter of the United Nations."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2008/35.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.15 p.m.

United Nations S/PV.5979

Security Council

Sixty-third year

Provisional

5979th meeting

Tuesday, 23 September 2008, 3 p.m.
New York

President:	Mr. Compaore/Mr. Yoda	(Burkina Faso)
Members:	Belgium	Mr. De Gucht
	China	Mr. Liu Zhenmin
	Costa Rica	Mr. Urbina
	Croatia	Mr. Sanader
	France	Mr. Kouchner
	Indonesia	Mr. Wirajuda
	Italy	Mr. Frattini
	Libyan Arab Jamahiriya	Mr. Ettalhi
	Panama	Mr. Torrijos
	Russian Federation	Mr. Yakovenko
	South Africa	Ms. Dlamini Zuma
	United Kingdom of Great Britain and Northern Ireland	Lord Malloch-Brown
	United States of America	Mr. Khalilzad
	Viet Nam	Mr. Le Luong Minh

Agenda

Maintenance of international peace and security

Mediation and settlement of disputes

Letter dated 3 September 2008 from the Permanent Representative of Burkina Faso to the United Nations addressed to the Secretary-General (S/2008/590)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

08-51564 (E)

The meeting was called to order at 3.10 p.m.

Adoption of the agenda

The agenda was adopted.

Maintenance of international peace and security

Mediation and settlement of disputes

Letter dated 3 September 2008 from the Permanent Representative of Burkina Faso to the United Nations addressed to the Secretary-General (S/2008/590)

The President (*spoke in French*): I am very pleased to welcome the heads of State or Government, ministers and other representatives participating, together with the Secretary-General, in this high-level meeting of the Security Council. Their presence is an affirmation of the importance of the subject matter to be addressed. I would like in particular to welcome the presence of the Secretary-General.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Lakhdar Brahimi.

It is so decided.

I extend a warm welcome to Mr. Brahimi.

The Security Council will now begin its consideration of the item on its agenda. I wish to draw attention to document S/2008/590, containing the text of a letter dated 3 September 2008 from the Permanent Representative of Burkina Faso to the United Nations addressed to the Secretary-General, transmitting a concept paper on the item under consideration.

I shall now introduce the debate and make a statement in my national capacity.

The conflicts afflicting regions throughout the world require all States, organizations and citizens of our planet to resolve them through effective mechanisms. In inviting participants to this high-level meeting on the topic "Mediation and settlement of disputes", we sought to highlight the need to use peaceful means as the method of choice for the settlement of disputes. I would therefore like to address my sincere thanks to all here for having answered our invitation. Their presence attests to the interest they attach to the deliberations of the Council as the organ responsible for the maintenance of international peace and security and the need to settle disputes by peaceful means. I am particularly grateful for the diligence with which they agreed to come and share their respective experiences.

I am convinced that, by the end of our discussions, we will have a convergence of views on our ongoing search for peace through peaceful means. I call upon the Security Council, the General Assembly, the Secretary-General, regional and subregional organizations, and civil society to draw on that convergence for inspiration in a world where the smallest crisis can become a real threat to international peace and stability. The new dimensions of ideological conflicts and the heightened complexity of current conflicts require us to resort to the most innovative and ingenious mediation strategies.

With respect to today's theme, I would like to share a number of considerations that I believe are vital. I have had the weighty responsibility of assisting through mediation a number of African countries in crisis in their quest for peace and stability.

I hold to the conviction that no mediation, no matter how selfless and enthusiastic, can succeed without the full participation of the protagonists. Moreover, the mediator must remain objective, independent and impartial and have a solid knowledge of the specifics of the conflict, in particular those relating to the major actors in the crisis and the sociological realities of the countries and the region concerned. That is where the role of regional and subregional organizations is fundamental. They can contribute effectively to the settlement of disputes through close mediation, given their knowledge of the situation on the ground and in their capacity as the primary beneficiaries of restored peace.

That is the spirit of Security Council resolutions 1809 (2008) of 16 April 2008 and 1625 (2005) of 14 September 2005, on cooperation between the United Nations and regional organizations and on strengthening the effectiveness of the Security Council's role in conflict prevention, particularly in Africa. The comprehensive implementation of the relevant provisions of those resolutions would energize regional and subregional mediation efforts. The responsibility of the international community must not go unnoticed. Bilateral and multilateral partners must

be proactive in any mediation process by promoting the leadership role of the mediator and supporting each step of the process in a timely and appropriate manner.

In that regard, the United Nations and especially the Security Council can and must play a critical role. I therefore welcome the proposal made by Secretary-General Ban Ki-moon to strengthen the capacities of the United Nations in the area of mediation. Our major expectation is to see the Council become more invested in that endeavour.

In drawing lessons from our ongoing experience, I can say that progress made in implementing the Ouagadougou Political Agreement on the crisis in Côte d'Ivoire is due largely to the firm commitment of the signatories of the Agreement, the unfailing support of the Security Council and the Secretary-General, and the eager willingness of countries and institutions to support our efforts. I take this opportunity to reiterate our deep appreciation to all and to express the hope that this exemplary mobilization will be maintained until the end of the process.

Mediation requires confidence and ongoing coordination between the mediator, the parties to the conflict, local actors and all partners. Such an environment has helped to strengthen ownership of the peace process by the main protagonists in Togo, thereby creating conditions for a return to harmony and reconciliation.

The current evolution of the ongoing process in Côte d'Ivoire confirms that vision. In fact, the close cooperation between the Special Representative of the Secretary-General and the Facilitator of the Ouagadougou Agreement allows the Facilitator and the United Nations to be fully informed of the situation and to be confident that the crisis will be resolved.

In our experience of crisis mediation, three essential elements should be highlighted. The first is undoubtedly the importance of ownership by the major parties of the process to resolving the crisis. The success of any mediation presupposes the ongoing commitment or the parties to the conflict to implementing diligently the contractual provisions that they have signed.

The second element is that the final document must satisfy each protagonist and provide answers to fundamental questions regarding the onset of the crisis, while remaining faithful to principle of even-handedness.

The third element is the need for any peace agreement to envisage appropriate follow-up mechanisms that will allow the parties to gradually overcome the many obstacles that could undermine the peace process. The full participation of the protagonists in the mediation process and the implementation of follow-up mechanisms require the mediator to remain usefully available to help and to listen as a guide, go-between and neutral representative of the international community. In addition to serving as follow-up and coordination tools, follow-up mechanisms can be true frameworks to strengthen dialogue and confidence among the actors.

The many and diverse mediation initiatives in one conflict raise the crucial question of how to harmonize and coordinate them. The main organizations and personalities concerned must work to establish common or coordinated mechanisms in order to ensure the synergy of actions taken and to avoid counterproductive use of energies.

I therefore welcome the joint efforts of the United Nations and the African Union to find sustainable solutions to the crisis in Darfur. The recent appointment of a Joint Mediator attests to the resolve of the international community to put an end to the tragedy on an urgent and ambitious basis.

Maintaining peace and security throughout the world requires an international environment conducive to the emergence of a culture of ongoing, structured and dynamic dialogue to ensure the more effective prevention of conflicts and above all, their timely management and resolution. On that basis, a peaceful approach is necessary in settling the disputes in the Near and Middle East, the Caucusus, and a number of African countries that are facing insurgencies or post-electoral violence. Therefore, Burkina Faso has requested the Secretary-General to submit to the Council a report on the value of mediation both by the United Nations and by regional organizations.

I express my deep appreciation to all delegations for the support they have provided for the draft statement submitted by Burkina Faso recognizing our deliberations. Beyond what conflict settlement mechanisms have to offer us, it is more important than ever for human societies to reaffirm the supreme values of tolerance, solidarity, dialogue and peaceful

coexistence that are the foundation of a healthy and strong international community. It is therefore my hope that the discussions on mediation that Burkina Faso has sought to promote will continue and grow, and especially that we will develop more effective conflict-prevention mechanisms in furtherance of a fair and peaceful world.

I now resume my functions as President of the Council.

I invite His Excellency Mr. Ban Ki-moon, the Secretary-General, to take the floor.

The Secretary-General (*spoke in French*): I commend the Republic of Burkina Faso for organizing this important debate. There is no nobler mission for the United Nations than helping to settle conflicts by peaceful means. On numerous occasions the United Nations has shown that it is capable of helping parties to find specific solutions to their disputes. The situations that are most frequently discussed are those that culminate in a comprehensive peace agreement. Often they lead to a United Nations peacekeeping operation. At times, we are obliged to deploy peacekeeping troops rapidly in order to save lives, even before peace has been restored. In such situations vigorous mediation efforts are indispensable to prevent further bloodshed and to ensure that the Blue Helmets are not deployed indefinitely.

We talk less of other situations where discreet diplomacy has enabled parties to resolve a dispute before conflict breaks out, thus helping the countries and the international community to avoid the loss of countless human lives among civilians and soldiers, as well as considerable expenditure.

Today, I ask the Council and all Member States to invest further in our mediation activities, so that we will be better able to exercise that discreet diplomacy and find ourselves less often facing that Rubicon, the crossing of which inevitably leads to unspeakable suffering and enormous expenditure in terms of peacekeeping.

(*spoke in English*)

The United Nations does not claim a monopoly on the settlement of disputes. Very often we play a supporting role while regional players take the lead, as in Kenya and Zimbabwe. Increasingly, our regional partners are asking us not only to support them in specific cases but to help them build their own mediation capacity, which we are gladly doing.

The Security Council plays a central role in mediating and settling disputes, as laid out in Articles 33 and 36 of the Charter. From experience, I believe that its most important contributions come when it is unified. A successful outcome is most likely when the Council agrees on common principles for solving the conflict. Conversely, risk of failure is high when there is no common vision or when Council members and other key Member States hold contradictory positions.

The Council's second most important contribution is when it is prepared to use its leverage. The Council has had a positive impact on peace processes when it has used, or been prepared to use, its leverage. Targeted sanctions greatly supported the mediation efforts in Sierra Leone, Liberia and Angola.

The third contribution is when the Council supports one clear chief mediator. By authorizing the mediator with the best comparative strength for a particular situation or a particular phase of the process, the Council greatly enhances the chance of success. While the mediator must consult all concerned parties, he or she must be fully supported by all partners. Competing mediators only encourage forum shopping.

The fourth contribution is when the Council gives the process space, if that is what is needed. Once the Council has agreed on a strategy, it is often important to allow the mediator space and time to work with the parties. The Security Council, neighbouring countries, groups of friends and Member States must stand behind the mediator in support of a chosen strategy.

My own good offices are always on offer to parties that wish to avail themselves of an honest broker, who can help them stay or return to what is sometimes a difficult path to peace. That role, which successive Secretaries-General have played in cases such as Iran, Iraq, El Salvador, Guatemala, Nigeria, Cameroon and Afghanistan, is a critical tool for the international community in settling a dispute. Such good offices can be useful when intergovernmental bodies are deadlocked or the parties actively resist intergovernmental involvement. In 1997, the East Timor question was resolved when Indonesia accepted the offer of the good offices of the Secretary-General to mediate.

Many peace processes have benefited from the ability of the Secretary-General to speak to all relevant parties, even when no other actor was willing or able to take such an initiative. Often those efforts appear neither on the Council's agenda nor in the press. They are undertaken discreetly by my envoys or by United Nations staff. That low visibility often achieves success, but it comes at a price for the Organization. Very often we struggle to convey to a sceptical world the breadth and depth of our efforts.

Pursuant to the 2005 World Summit Outcome (General Assembly resolution 60/1), a small Mediation Support Unit (MSU) was established within the Department of Political Affairs to provide operational support to peace processes and be a repository of knowledge for mediators. In 2008, the MSU established a stand-by team of mediation experts that can be deployed anywhere in the world in a matter of days. In the first half of 2008, the MSU provided support to some 15 peace processes. It is also supporting the Southern Africa Development Community, the Economic Community of Central African States and the African Union to strengthen their mediation capacities.

However, the funding for MSU in the regular budget is meagre, and MSU has no funds for programme activities. Without prejudicing the role of the General Assembly in deciding budgetary matters, I urge the Council to ensure that mediation efforts have the requisite resources. Past experience suggests that an effective and coordinated mediation effort throughout the conflict cycle is necessary for effective peacekeeping and peacebuilding. Thus, it is critical that the Security Council provide the same support to enhance the structures, processes, tools and resources required for mediation as for peacekeeping and peacebuilding activities.

I am grateful for this opportunity to share some thoughts with the Council and look forward to working closely with all Council members in that important endeavour.

The President (*spoke in French*): I thank the Secretary-General for his statement. I now give the floor to Mr. Lakhdar Brahimi.

Mr. Brahimi: I would like to thank you, Mr. President, for inviting me to address today's open debate. It is a great honour indeed and a particular pleasure to speak during the presidency of a distinguished President from Africa.

Our continent, Mr. President, has had more than its fair share of conflicts. Some of those have been resolved, and in other cases the situation has improved. But there is no room for complacency. Far too many of our people are being killed, tortured, harassed, humiliated or sent into exile or internal displacement. Much remains to be done in Africa to end conflict, consolidate peace and create the conditions for sustainable development.

The United Nations is doing its part. Witness the deployment of over 100,000 peacekeepers in some 18 missions — the largest share of them on the African continent.

Regional organizations, including the African Union, have acquired remarkable skills in the field of mediation. They are creatively developing their own cooperation, amongst themselves, with civil society and with the United Nations. A few Governments, some non-governmental organizations and a number of individuals have also successfully mediated conflicts throughout the world and continue to do so.

The United Nations, meanwhile, remains the leading actor in this field. In the course of its history, it has achieved many successes, but it certainly can improve further, as members of the Council and the Secretary-General know far better than I do.

There are several principles at the heart of United Nations mediation, all of which deserve careful attention. Straightforward and uncontroversial as these are, it is quite challenging to adhere to them in practice. For example, I believe that the mediator must understand a conflict in all its complexity before passing judgement and taking decisions. He or she should recognize the importance that culture, tradition, pride and even saving face play in all phases of the process.

In the short time available, I shall focus only on two of those principles.

First, the mediator should include in the peace process all the parties to the conflict without any exception. At the Afghanistan peace talks held in Bonn in 2001, we were under immense pressure to conclude an agreement in just a few days, and it was not possible to pursue a genuinely inclusive political process. Political realities demanded that. But we also failed,

later, to reach out to many constituencies who might have joined the political process if they had been asked. It should have been clear to us, all along, that those who were absent or kept away would have no stake in the success of the agreement and would obstruct its implementation, and that is exactly what they have done. President Karzai and the United Nations pleaded for an expansion of the International Security Assistance Force, early on, fearful as they were of how vulnerable the peace process would be to violence waged by those excluded from it.

In Iraq, Darfur and elsewhere, and in Afghanistan, the obstacles to a durable peace will not be overcome by military means alone. A variety of other tools are equally, if not more, important. These include far more tangible economic benefits for ordinary people and intensive, ongoing mediation with all concerned.

It goes without saying that a mediator should never act to placate his or her own ego, play to the media, or prioritize the interests of external actors. Rather, the mediator should put the concerns and aspirations of the people — all the people — of the country concerned at the forefront. In the case of Afghanistan, the interests of the Afghan people should override those of the United Nations itself, those of NATO, those of the neighbours and those of any other country. If the interests of the people of Afghanistan are thus served, exclusively and properly, we will see that everyone else's interests will be very well served indeed.

But let there be no misunderstanding here. That a mediation should be inclusive and involve dialogue with all parties does not mean that any offence, by anyone, should be condoned or ignored. The outrageous, sickening, criminal destruction of the Marriott Hotel in Islamabad, just a few days ago, has been rightly condemned by the whole world. I happen to have known some of the victims. They were the doormen, the waiters, the cleaning ladies and other staff of the hotel. They were poor, honest, dignified men and women. All of them were Muslims, working hard to provide for their families. No perpetrator of such an act can claim to be an adherent of Islam, let alone to be acting in its name. Attacks of that nature are cold-blooded mass murders, period. The criminals behind them must not go unpunished.

I will now move on to the second key principle, if I may. The mediators' hand is significantly strengthened when the principles and approaches he or she adheres to in conducting the mediation are seen to be supported by all the members of the Security Council and the membership of this Organization as a whole. That means, in particular, that there must be only one channel of communication with the parties. In mediating the post-election crisis in Kenya, Kofi Annan insisted firmly that no one else interfere, and Secretary-General Ban Ki-moon fully supported that approach. Kofi Annan received much support from every quarter, but everyone accepted his lead and responded to his requests. The result was the remarkable success achieved against almost impossible odds.

Impossible odds are generally faced by all mediation efforts. Miracles do not come easily or too often. If a political deal is reached easily and without painful compromises by all sides, one should not ask if it will unravel, but when. The mediator, therefore, needs all the help he or she can get, and a United Nations mediator in particular needs much help from the Security Council.

That help begins with giving the mediator the time and space he or she needs to work out solutions, to overcome prejudices and to reconcile competing narratives of the conflict. It means resisting pressures to initiate competing mediating efforts and standing firm against pre-cooked or hastily conducted agreements that are imposed from outside or that do not address the core issues. Often, such agreements exclude key parties whose support is needed for the implementation of the agreement, or who do not serve or represent the interests of all the people of the country concerned.

The credibility of the United Nations and the world's faith in its relevance suffer greatly when the mediation of certain conflicts is left unattended for long periods of time, or ignored altogether. That is certainly the perception in many parts of the world with respect to the Middle East peace process and several other conflicts. When the Security Council is perceived to be more concerned about the suffering of some than others, selective in the enforcement of its own resolutions, or employing double standards, the credibility of the United Nations as a whole is affected. The damage to the credibility of United Nations on

some issues will adversely affect its mediation efforts everywhere.

In conclusion, the Organization's universality, its impartiality and its consistent adherence to the principles enshrined in its Charter are the most powerful weapons in a United Nations mediator's arsenal. If you equip your mediators well, if you support them well, then they will be that much more likely to provide the help the victims of war demand and achieve the peace this Council seeks.

The President (*spoke in French*): I thank Mr. Brahimi for his statement.

I invite His Excellency Mr. Martin Torrijos, President of the Republic of Panama, to take the floor.

President Torrijos (*spoke in Spanish*): Panama welcomes this initiative to devote a meeting of the Security Council to mediation and settlement of disputes. This Organization was created specifically to ensure that the types of conflict that have devastated entire continents be addressed in a forum where they could be overcome. On many occasions, the United Nations in general and the Security Council in particular have served only as a podium to denounce an injustice or as an echo chamber so that the world becomes aware of situations that jeopardize international peace and security. On other occasions, the United Nations has spoken out, has urged parties to reach agreement and has even imposed sanctions on those countries that it considers responsible for violating the Charter of the Organization.

On far fewer occasions, the United Nations has assumed the role of mediator to resolve conflicts. This was my country's experience. Throughout almost all of the twentieth century, the United States maintained a colonial enclave in Panama. In 1973, the Security Council met for the second and last time outside of Headquarters in order to convene a meeting in the capital city of Panama. We have no doubt whatsoever that this event raised the world's awareness of the need to put an end to a situation that was in every regard unjust and contrary to the principles enshrined in the Organization's Charter. However, the United Nations restricted itself to a listening role, and the draft resolution that invited the parties to reach an agreement was vetoed. Panama and the United States found other means of negotiation and reached an agreement that allowed my country to regain sovereignty over all of its territory and to assume administration of the Panama Canal on the 31 December 1999.

I underscore this fact, although it is well known, as it is an example of how the United Nations could have acted as a mediator rather than only the recipient of our grievances and requests. Many other conflicts could have been avoided and many lives could have been saved had there been a mechanism for this Organization to mediate effectively. Naturally, one should recall that the strength of mediation does not lie in the design or implementation of mechanisms but rather in the political resolve of parties to reach agreements. It is also true, however, that parties to a conflict are more disposed to mediation if effective mechanisms are in place. In other words, political will and effective mechanisms are two mutually reinforcing elements: when there is greater resolve, the mechanisms will be more effective and when the mechanisms are more effective, then there will be greater political will to use them. Therefore, Panama calls on the Member States of the United Nations and, in particular, on the members of the Security Council, to harness their efforts to reinforce this Organization's role as a mediator and thus to serve fully meet the purpose for which it was created 63 years ago.

The President (*spoke in French*): I now invite His Excellency Mr. Ivo Sanader, Prime Minister of the Republic of Croatia, to take the floor.

Mr. Sanader (Croatia): I am grateful to Burkina Faso for bringing us together to address an important and integral component of our common effort in maintaining international peace and security.

The effectiveness of the United Nations and of this Council in particular is often measured against its ability to prevent and resolve conflicts. In achieving that goal, the Council has at its disposal an array of tools, including those mentioned prominently in Chapter VI of the United Nations Charter. As Croatia's own experience has demonstrated, mediation and the peaceful settlement of disputes are part and parcel of conflict prevention, peacemaking and post-conflict peacebuilding, and can be successfully integrated into the mandates of missions designed by the Council.

Since the nature of contemporary conflict has changed, increasingly shifting from the inter-state to an intra-state level, the United Nations is facing a different set of expectations. As the 2004 report of the High-level Panel on Threats, Challenges and Change

(see A/59/565) noted, the demand for United Nations good offices and mediation has skyrocketed. In situations ranging from Iraq to Sudan, from Cyprus to Côte d'Ivoire, from the Democratic Republic of Congo to Zimbabwe, to mention just a few, the United Nations has been required to be instrumental not only in overcoming tensions between opponents or belligerents but also in offering solutions for transitional justice, constitution writing or designing mechanisms for wealth-sharing or human rights protection.

This involvement may take place on any level, from the Secretary-General himself — or some esteemed colleagues, seated at this table today — to the different United Nations departments and agencies, in particular through the mandates designed by this Council. Even in the absence of a specifically appointed individual, tasked with a mediation or good-offices mandate, through its political or military presence on the ground, the United Nations finds itself engaged in the role of a negotiator, intermediary or adviser. Today, it is difficult to find a Council-mandated mission that does not include some aspect of diplomatic, mediatory, non-coercive engagement, often through the wide-ranging executive authority of the Head of Mission.

Our own experience with the United Nations Transitional Authority in Eastern Slavonia (UNTAES) is a telling example of what the United Nations can accomplish within a well-defined, realistic and achievable mandate. The reintegration of that war-affected territory in eastern Croatia was a joint success, both for my country and the United Nations, and Croatia stands ready to share the expertise and know-how gained through that process.

It has been rightly recognized that, in order to live up to these expectations, Council-mandated missions require not only an effective mandate, but also necessary expertise and adequate resources. The Department of Political Affairs (DPA) remains the centre of expertise and resources on mediation, and we welcome recent steps designed to strengthen it, including the establishment of the DPA Mediation Support Unit. The institution of special envoys and special representatives of the Secretary-General is often the primary channel for action — virtually the face of the United Nations in such situations. The complexity of their tasks requires excellent political, negotiation, leadership and management skills. In that regard, we would welcome the appointment of more women in these positions. No less important than skilled leadership is the development of local capacities for dispute resolution, a process in which civil society can play a crucial role.

The diplomatic and non-coercive methods of settling disputes surely go beyond the framework of the United Nations system and the United Nations can often profit from such synergies. Mediation in resolving the conflict in Côte d'Ivoire was one of those success stories and I would like to join others, Mr. President, in extending my appreciation for the personal effort you invested in facilitating the signature and implementation of the Ouagadougou Agreement between the Ivorian parties.

With the increasing interaction between the Council and regional and subregional organizations, it is becoming evident that they offer a potential which commands the Council's attention, and needs to be further explored by the Council, not only in the field of peacekeeping, but also in the settlement of disputes. The joint effort of the United Nations and the African Union to bring peace to Darfur is a good example, including through the institution of the joint special envoys and the recently appointed Chief Mediator Mr. Djibrill Yipènè Bassolé of Burkina Faso. As was rightly pointed out on previous occasions, their geographical proximity to and familiarity with the context of the conflict often makes regional and subregional organizations well suited to approach the parties to a conflict. We were also heartened by the success of the mediating effort led by the former Secretary-General, His Excellency Kofi Annan, under the auspices of the African Union that helped to resolve a grave political and humanitarian crisis in Kenya this year.

Recent trends give us reason to be hopeful about the Council's ability to further expand and better integrate such efforts into its strategies and actions. Still, for every success like that in Kenya, there are static situations that can dent the credibility of the United Nations and compel us to re-examine our strategies and commitments. We are encouraged by the positive signals coming from Cyprus and extend our full support to the good offices of the Special Adviser of the Secretary-General, Alexander Downer.

We also deeply appreciate the continuing joint effort that the United Nations and African Union are investing in the Darfur talks. On the other hand, it is

disappointing to note that after almost a year of repeated attempts to engage with Myanmar, the United Nations efforts fall short of achieving tangible results.

A well-managed effort aimed at reaching peace through a viable political process should be an integral part of our peacemaking, peacekeeping and peacebuilding strategies. However, it should not come at the expense of other values this Organization was founded to promote and protect. Without respect for justice, the rule of law, human rights and basic socio-economic concerns, hope for lasting peace will remain illusory and our action incomplete.

The President (*spoke in French*): I now invite His Excellency Mr. Karel de Gucht, Minister of Foreign Affairs of Belgium, to take the floor.

Mr. De Gucht (Belgium) (*spoke in French*): We are fortunate that today's meeting is being presided over by one of the greatest practitioners of conflict mediation and resolution, President Blaise Compaore, whom I wish to congratulate on his initiative. I would also like to thank the Secretary-General and Mr. Brahimi for their statements.

Since mediation normally goes on behind closed doors, opting to talk about it in public may seem like a surprising thing to do. However, the time is right to spotlight its importance. History shows that there is a 50 per cent greater likelihood of resolving a crisis if the instrument of mediation is employed. The rapid deployment of a compact, but well-equipped team of mediators can help to avoid extensive and costly missions. Above all, it could help prevent the atrocities to which all too many innocent men, women and children continue to fall victim.

If we all agree on the advantages of mediation, then why do not we use that instrument so sparingly? Without a doubt, one reason is that international mediation calls for a broad array of talents and instruments: the skill of analysing political processes; knowledge of local situations; the ability to forge links with all parties involved, including the local population; and early warning and rapid reaction mechanisms. Those are some of the qualities and instruments that we need on various levels.

The United Nations clearly has a central role to play in this field. As a non-permanent member of the Security Council, Belgium has made consistent efforts to ensure that the Security Council can effectively assume its responsibility for defusing crises. The Council must sometimes do so discreetly, for it needs to give sufficient space and breathing room to mediation initiatives, and sometimes in a more visible manner, especially if it is in a position to support a mediation effort in a united voice. If such a balance is found, the Council can have a considerable impact, most particularly in support of the Secretary-General's good offices.

In that context, it is difficult to accept the fact that the Secretary-General has such limited resources to act. In many instances, he is reduced to having to appeal to ad hoc arrangements. I hope that we will be able to agree today on the urgent need to shore up his capacity for mediation. Doing so will require the development of a pool of experts who can rely on receiving the resources they require. Such peacekeeping firefighters will have to remain on standby so that, at any time and extremely rapidly, they can offer or even impose their services through their vigorous efforts to address emerging conflicts before it is too late. Belgium fully believes in that, which is why we have made a significant contribution to the Secretariat's Mediation Unit.

Clearly, regional and subregional organizations also have a role to play in conflict mediation and resolution. That is the second dimension that I would like to highlight. I am thinking of the actions undertaken by the French presidency of the European Union in Georgia; the actions taken by South Africa on behalf of the Southern African Development Community in Zimbabwe; of Kofi Annan's initiative in Kenya on behalf of the African Union; of the role of the Association of Southeast Asian Nations in Myanmar, where outstanding challenges remain; and of the efforts of your country, Mr. President, in the Sudan.

Thirdly, we must be capable of crossing institutional borders and turning to suitable non-governmental organizations, such as Sant'Egidio, the Carter Center and the Ahtisaari team, which pursue their efforts in numerous places around the world, addressing the civil sector, representatives of the private sector, members of the public.

I am also mindful of women's roles. History has shown that women are often responsible for the success of peace agreements. I would therefore express my hope to see more women included on mediation teams.

In six months time, when we will evaluate the outcome of this debate, I hope that the Member States will have given the Secretary-General the means he needs to make a difference in the field. I hope that regional organizations will be able to contribute to and benefit from that activity and I hope too that the non-governmental organizations will play a core role therein. I am well aware that this is an ambitious programme, but one that is worthy of being enacted.

The President (*spoke in French*): I now give the floor to Her Excellency Ms. Nkosazana Clarice Dlamini Zuma, Minister of Foreign Affairs of South Africa.

Ms. Dlamini Zuma (South Africa): We would first like to congratulate Burkina Faso on organizing this debate on mediation and settlement of disputes. Of course, we are pleased to see President Compaore presiding over this meeting. We also thank the Secretary-General and Mr. Brahimi for their informative remarks.

When the African Union was founded a few years ago, there were three broad objectives our leaders had in mind. One of them was the prevention, resolution and management of conflicts that have scarred the African continent for many decades, and thus the establishment of the Peace and Security Council. The second, of course, was the acceleration of political and economic integration, and the third was to reverse the legacy of poverty and underdevelopment that continue to be the biggest challenge of the twenty-first century.

Our subregional organizations were mandated to develop local mediation processes that would help resolve conflicts at the neighbourhood level. Subregional organizations like the Southern African Development Community, the Economic Community of West African States and the Intergovernmental Authority on Development have played and continue to play a major role in the resolution of conflicts in such countries as the Democratic Republic of the Congo, Côte d'Ivoire, Sierra Leone, Burundi, the Sudan, Liberia, eastern Uganda and Zimbabwe, to mention a few.

All of our efforts were anchored in the Charter of the United Nations, particularly Article 33 of Chapter VI, which provides for mediation as one of a number of diplomatic methods for the pacific settlement of disputes. Due to the changing profile of global conflicts, wherein more conflicts have become intra-State rather than inter-State, mediation has become an indispensable tool in the prevention and resolution of conflicts. As a result, mediation has become more important than ever before. The Secretary-General, through his good offices, has been engaged in a number of mediation processes internationally. In this regard, the creation of a Mediation Support Unit within the Department of Political Affairs to provide support for these activities is a significant development. Of course, we hope that it will be well resourced.

We acknowledge that there are general principles guiding and underpinning mediation. However, the root causes of the problem, the specificities of the parties in dispute and socio-cultural factors need to be taken into consideration. It is for that reason that the link between peace and development should be central in all efforts towards conflict resolution, prevention and management.

We now wish to share a few lessons learned during mediation in countries, some of which I have mentioned, and also to focus on the important challenges of ownership of the mediation process by the various parties in conflict and on the role of support mechanisms.

One of the questions posed in the concept paper is how mediation can be made effective. In our view, the roles of the interested parties in a mediation process should be clearly defined. Once mediation has been started, it is important that all other parties should play a supportive and constructive role in the process.

Fundamentally, mediation must keep the parties focused on resolving the dispute by arriving at a compromise acceptable to all parties. The role of the mediator is not to impose a solution in the parties but to help them arrive at the solution to end the conflict by themselves. It is crucial that mediators and other interested parties should dispense with what others have called "the rescuer syndrome", referring to a lack of belief that people have neither the ability to resolve disputes themselves nor the expectation that they should do so.

In mediation, those involved in a dispute should be considered to have ownership and responsibility for resolving it. Only through communicating with one another and acknowledging their ownership of their situation will they be able to effectively resolve it.

In the process of mediation, the mediator receives and deals with confidential information and proposals from the disputing parties. It is important for mediation not to be unduly pressured, either to unnecessarily reveal confidential information or to move the process towards already identified conclusions. Furthermore, direct intervention by others taking sides or influencing the parties in dispute can be a major obstacle to the resolution of the dispute. Also, mediation should not take place in the glare of the media.

The test of the success of the mediation should be the durability of the agreements signed or entered into. Therefore, it is important that it be understood that at times the success of a mediation effort cannot be measured in the short term. This process of allowing the parties to find their own solutions tends to be long and painstaking and requires a lot of patience.

It is also important that we address the role of the Security Council in this context. In this regard, we believe that once mediators have been appointed, in particular by regional organizations, the Council's role should be to support the process. As the Council, we should avoid the temptation to pre-empt the outcome of mediation efforts through the use of coercive tools that are at the Council's disposal. Our experience is that, when the Council interferes in the mediation efforts of either the Secretary-General or regional organizations, the results have not always been positive.

In conclusion, we would like to reiterate that regional and subregional organizations have a crucial role to play in mediation and have a comparative advantage, mostly due to proximity. In this regard, we support the strengthening of the Mediation Support Office of the Department of Political Affairs, as that Office will provide much-needed technical support for regional efforts, in particular, but of course not exclusively, on the African continent.

The President (*spoke in French*): I now give the floor to His Excellency Mr. Hassan Wirajuda, Minister for Foreign Affairs of the Republic of Indonesia.

Mr. Wirajuda (Indonesia): Mr. President, at the outset I wish to commend you for organizing today's important debate. I am sure that this meeting, under your able guidance, will be fruitful.

We live in a world torn by conflict. Conflicts are raging in the Middle East, in Afghanistan, in the Americas and in Central Europe, and they will never come to an end if dialogue does not take the place of violence. But dialogue is not easy to bring about between active combatants. There has to be someone trusted by everyone involved to bring about and guide the dialogue: a mediator who must have the skill to guide the process to a just and comprehensive conclusion that is acceptable to all concerned. Mediation as a process and as an art is therefore of immense value to the long-term survival of humankind.

Let me now speak of Indonesia's experience in mediation. In the early to mid-1990s, for three years, I had the personal privilege of chairing the mixed committee that conducted the bulk of negotiations between the Government of the Philippines and the Moro National Liberation Front. The process led to the signing in 1996 of a final peace agreement that ended two decades of a separatist rebellion in the southern Philippines.

Earlier, in the late 1980s, Indonesia launched a process towards the peaceful solution of a decades-long civil war in Cambodia. The process began with a series of informal meetings in Jakarta in which the warring factions participated. It later involved the United Nations as well as 19 nations, and led to the peace agreement signed in Paris in October 1991, and eventually to the rebirth of the Kingdom of Cambodia.

In the early 1990s, Indonesia launched a series of annual informal workshops on managing potential conflict in the South China Sea. There was a danger then that rival and overlapping claims to all or parts of the South China Sea could lead to armed conflict. Hence, Indonesia invited workshop participants from all the claimant States, and the informal process led to joint undertakings that served as confidence-building measures. Since then China and the Association of Southeast Asian Nations (ASEAN) have adopted a declaration on the conduct of parties in the South China Sea, and the area in general has become much more stable.

Much was achieved in these processes largely because Indonesia, as a non-claimant State, was trusted by all sides. We had only one clear agenda, and that was to ensure for ourselves and for our neighbours a more peaceful environment.

Apart from the fact that we earned the trust of the parties involved, it helped that the process we mediated began with considerable informality and that it was

often conducted away from the limelight of the mass media.

The experience of Indonesia in mediation cannot compare with the vast experience of the United Nations and its many special representatives, special envoys and eminent persons. Supported by a mediation unit, the United Nations can look forward to many more achievements in the service of peace. Properly funded and with the endorsement of Member States, the unit could also enlarge the capacity of the United Nations to detect potential conflicts and prevent their outbreak. The United Nations and regional organizations could team up in mediation efforts. The United Nations has the resources and the experience; regional organizations have intimate knowledge of the socio-political terrain. That combination could be very powerful. We in ASEAN are ready for such a partnership with the United Nations. As we form an ASEAN Community, all ASEAN members are committed to the peaceful resolution of dispute and conflict, including through the use of mediation.

Indonesia is not only committed; it is also a passionate advocate of mediation, for we too have reaped the benefits of successful mediation. There is peace today in our Aceh province because of successful mediation by the Helsinki-based Crisis Management Initiative. Thus, we have learned our lessons in mediation very well. Others in our region and beyond have shown interest in drawing upon those experiences.

The President (*spoke in French*): I now invite His Excellency Mr. Franco Frattini, Minister for Foreign Affairs of the Republic of Italy, to take the floor.

Mr. Frattini (Italy): First of all, I would like to thank you personally, Mr. President, for having organized this very important high-level meeting.

Italy reaffirms its full support for the action that all United Nations bodies take to prevent conflicts within their respective areas of expertise. The Security Council must strengthen and improve its mechanism for interacting with the Secretary-General and with his representatives and envoys engaged in various Chapter VI actions to settle international disputes. At the same time, parameters and modalities have to be identified to enable mediation to begin at an early stage in order to prevent disputes from degenerating into open conflicts.

The close relationship between peace and security on the one hand, and development, human rights and the rule of law on the other, signifies that the other United Nations bodies also perform mediation activities in a broader sense. In that context, the General Assembly and the Economic and Social Council have a contribution to make, especially in the definition of general principles. But other bodies, such as the Peacebuilding Commission and the Human Rights Council, also have a role to play.

Peacebuilding often requires the inclusion of important aspects of mediation in a political stabilization process, namely, the implementation phase of peace agreements. The special procedures of the Human Rights Council — rapporteurs, independent experts, et cetera — can also be deployed to define aspects such as respect for human rights and free and fair elections, which are often vital to the success of mediation efforts. The Secretary-General has a leading role in that field. That is why Italy supports the initiative to strengthen the Secretariat's mediation capacity, in particular through the expansion of the Department of Political Affairs and the creation of a Mediation Support Unit within the Department.

The capacities of regional organizations should be strengthened by promoting the conclusion of agreements between them and the United Nations. We would support having the Security Council invite the mediators appointed by regional organizations to report on their activities in this forum on a more frequent basis. As members are well aware, the European Union was one of the first organizations to work to ensure and provide effective cooperation with the United Nations.

One particularly effective modality is the appointment of joint mediators holding mandates from both the relevant regional organization and the United Nations. The advantage of such a figure is twofold: he or she will be more knowledgeable about local realities and thus better able to influence the negotiating process; at the same time, because the mediation has been placed under the aegis of the United Nations, it comes to represent the international community as a whole and thus gains in terms of universal legitimization and political support.

On the basis of the experience that Italy has gained since the early 1990s — for example, through our action in Mozambique — we believe that one of the keys to successful mediation is the active role of

civil society. When strongly rooted in the territory or interacting effectively with the parties to the conflict, non-governmental organizations can make a unique contribution. Forms of concrete interaction, including on the part of the Security Council, with such stakeholders can be reinvigorated in the light of already consolidated experiences.

In the context of civil society's contribution, close attention should be paid to the role of women, as Minister de Gucht very rightly said. The Security Council has often acknowledged that role, pursuant to resolution 1325 (2000), on women and peace and security.

Finally, Italian experience has taught us that mediation does not stop with the negotiation of a peace agreement; the agreement must then be implemented. We could call such activity micro-mediation with the interested parties. It is pertinent to the action of peacekeeping contingents, for example, which interact in the field with the parties concerned on a daily basis. In this case, it is a question of settling a wide variety of problems — ranging from humanitarian assistance to the organization of elections or the protection of minorities — that often closely affect the issues or interests at the root of the conflict.

In conclusion, that is why I guarantee the strong support of Italy for the draft presidential statement that we are about to adopt.

The President (*spoke in French*): I now invite His Excellency Mr. Bernard Kouchner, Minister for Foreign Affairs of France, to take the floor.

Mr. Kouchner (France) (*spoke in French*): After listening to preceding speakers, I obviously wish to discuss something that might be a bit prickly — everyone is tempted to do so: the roles that we have been able to play in the various mediations that we have encountered. In that context, I wish to commend the Burkina Faso presidency. I wish to pay tribute to President Compaore for the eminent role that he has played and, taking advantage of his absence, to commend the effectiveness of his mediation on many occasions, particularly in Côte d'Ivoire and Togo.

I also wish to commend Mr. Lakhdar Brahimi, because I perceived the technician and the man of commitment in his statement. He was quite right when he spoke of the slowness required to attain an objective quietly yet swiftly. Bravo! That takes time.

In addition, I welcome what my friend Franco Frattini said, because the role of women and, in particular, of civil society — which was also referred to by the Minister for Foreign Affairs of Belgium — is essential.

Let me say that to give a scientific aspect of mediation is very praiseworthy, but there is something intangible, perhaps invented on the fly, in analyzing a situation, maybe a bit of spontaneity or chance — a terrible chance to take sometimes. We do not really know why we make a mistake, but we know we will make mistakes, but sometimes a door opens and the chance works out.

I would like to recall that 60 years ago Count Bernadotte was sent as the first mediator of the United Nations in order "to promote a peaceful adjustment of the future status in Palestine", and we are still at it. These ambitions were stymied, the Council will recall, by an act of terrorism in which Bernadotte and his French military counsel Serot were assassinated. Folke Bernadotte was the first United Nations mediator, but also the first representative of the United Nations to give his life in an attempt to find a solution through dialogue and cooperation. Since then, other well-known United Nations mediators, and others who were less well known and were invisible, have also paid — I should, obviously, cite Dag Hammarskjöld and Sergio Vieira de Mello — and have given their lives for peace.

The beginning we know; the end we do not know; it belongs to all of us. It is a long movement. Today's debate allows us to honour those efforts and emphasize our support for the United Nations role in providing solutions to difficult problems through negotiations. I spoke of Palestine, where that is still the case, and we speak of Darfur, which is always the case.

I wish to emphasize three points very quickly. Mediation is at the heart of diplomatic and political activity. Some doubt that. Diplomacy is often criticized, but the good offices allow us to convey messages among parties that no longer dialogue. Mediation offers a solution, a compromise, to move beyond a hardened situation. Those initiatives are the instruments, the reflexes, of heads of State and politicians working for peace. It is not enough; know-how is needed, personal qualities, the ability to adapt according to the balance of forces and especially the ability to remain legitimate and credible — that is the most difficult thing.

We are all tempted; we have all done it, wanting to give a small advantage where there should not be one. We are all tempted to say that one is right and the other is wrong. That is impossible; it will not work. If I had the time — which I don't — I would tell the Council of the temptation we had, the French presidency of the European Union, a few days ago to attempt to bring forward a somewhat positive mediation in the problem in the Caucuses between Georgia and Russia. That could be an example, one not achieved, and perhaps it would be a bit pretentious to emphasize the necessary efforts.

So the establishment of a mediation support unit and a team of experts in key areas of mediation is certainly progress, but it is a little bit like humanitarian affairs. At the start it was a great surprise and everybody approved it. Then it became like university teaching, but it is not the same thing.

Further, with regard to humanitarian affairs, I am sitting next to the Croatian Prime Minister. In mediation I would say that there is humanitarian mediation that is necessary to enable humanitarian access — I am thinking about Dubrovnik, Mr. Prime Minister. Let us not forget that not everything is political, or everything is political, in humanitarian affairs also. Humanitarianism used to be trendy; it is much less so now, and that is too bad.

There are many examples of United Nations successes — El Salvador, Cambodia, Namibia, Guatemala, Burundi, etc. We should emphasize them, for they are quickly forgotten. When things do not work, everyone criticizes the United Nations — "What is the United Nations doing?" When they do work, we forget everything in a moment. The list of United Nations mediation successes over the last 20 years, especially since the end of the cold war, is considerable. When we criticize the United Nations, we must also think of its successes.

Regional organizations and actors play a growing role in mediation. I could emphasize the Organization of American States in Haiti, the Pacific Islands Forum, the African Union, etc. Those are essential organizations. The European Union over the past few years has also strengthened its mediation in the Balkans — Serbia, Montenegro, Kosovo, prisoner exchanges, Croatia, etc. Everyone knows that story. More broadly, the European Union is prepared to offers its support and mediation for the peace process in the Middle East in particular. The EU believes, somewhat legitimately, that the association of its 27 countries can play a political role in some areas and that it is not used enough. It is used more for giving money than for mediation. We have experience, and it has not always been negative.

The second point is that mediation must be part of a comprehensive approach to a crisis. That is a very political matter, not just a sixth sense, or tactics. If there is no comprehensive regional approach — I would say even almost global — then it is very difficult to achieve progress. While the distinction exists, we should not become blocked in a logic of separation between Chapter VII and Chapter VI. I would recall that every decision of the Security Council is mandatory. Sanctions can be a tool for mediation and conflict settlement, of course, but when the international community refuses dialogue with terrorists or war criminals, maybe then sanctions are necessary. There is a whole debate on that, and honestly, we have had positive and negative examples. When some refuse to enter a peace process, they must be brought to negotiate and to cooperate. For example, in the Democratic Republic of the Congo, there are sanctions against persons who are "impeding disarmament, demobilization, repatriation, resettlement and reintegration".

On the boundaries of the peaceful settlement of disputes and coercion, peacekeeping operations maintain a stabilizing presence on the ground, which in some cases could be mobilized in support of efforts for dialogue. Because the mandate is in principle the conclusion of a peace agreement, mediators are often the messengers of the international community's reinvestment in a theatre of crisis. Actions must be taken quickly. In the critical weeks that follow the announcement of peace, the international community must support still-fragile national institutions and allow them to answer the critical needs of the people and to help exit — an important word — the crisis.

We talked about mediation. We spoke — and I did not say "interference"; it is forbidden, of course — of the responsibility to protect. It is not very credible here, but I will use the term. However, I will tell you that we do not have enough of a school for crisis emergence. Nation-building is not really taught. I think it is necessary, when we talk about mediation, to emphasize that that should be followed by a deployment that could last for years, even a generation.

When we begin a mediation effort and that effort is successful, let us not forget that it is impossible to determine a real date when the crisis ends.

I wanted to emphasize those three small points. We should, of course, pursue efforts to better coordinate the actions of the international community from the start, the early warning — always too late — and the international community's efforts — always too late — until the end of the crisis, which is never really predictable.

The President (*spoke in French*): I invite the Deputy Minister for Foreign Affairs of the Russian Federation, His Excellency Mr. Alexander Yakovenko, to take the floor.

Mr. Yakovenko (*spoke in Russian*): I am grateful to the President of Burkino Faso, Mr. Blaise Compaore, for convening such a timely meeting of the Security Council.

Since the topic of today's discussion is mediation and settlement of disputes, I cannot fail to mention the mediation role of the President of France, Nicolas Sarkozy. I thank his presidency of the European Union and his sobering influence on the Georgian leadership. The President of France ably fulfilled his principal function as a mediator in the achievement of a preliminary settlement that, I hope, will help to ensure regional stability.

In consideration of the theoretical background of mediation, I note that a mediator normally does his or her utmost to work out preliminary arrangements based on areas in which the parties can agree. The implementation of those agreements should lead in turn to a definitive and lasting settlement of the conflict. The events in the Caucasus have demonstrated that modern conflicts cannot be solved by the use of force. In that regard, we have always insisted on the agreement on the non-use of force between Tbilisi, Abkhazia and South Ossetia.

The mediator acting in good faith should possess a number of qualities. For instance, he or she should be impartial so as not to undermine the confidence of the parties; above all, the mediator should observe strict confidentiality. Unilateral decisions should not be imposed nor should reason be given to believe that the mediator is biased towards or has preferences for one of the parties. A mediator's failure to meet any one of those requirements inevitably creates problems. There are ample examples of that, but it is enough to recall the evolution of the Kosovo settlement.

Recent events throughout the world demonstrate that the role of mediators in dispute settlement is on the increase. Let me mention just a few. As a result of mediation, the conflicts in Africa have become less intense, the Democratic Republic of East Timor has been established, a settlement has been achieved in Aceh, and United Nations-mediated talks between the parties to the conflict in Cyprus have been engaged. Lastly, a comprehensive political agreement has been achieved in Zimbabwe through the mediation of the President of the Republic of South Africa.

I believe that all present here will agree that the activity of mediators requires great skill and is the product of a combination of persistence, tact, knowledge of the historic, cultural and other specifics of a conflict, and — no less important — patience. The mediator, even if compelled at times to be tough, should not use gross interference or violate the legitimate rights or interests of any of the parties. It is necessary to work patiently towards a result acceptable to all parties to the conflict and not be tempted to make hasty decisions in search of momentary political dividends.

Experience in conflict settlement to date clearly demonstrates that only the mediator who does not rely on violence or the imposition of terms of settlement but seeks instead to reconcile the positions of the parties, find areas of convergence and reach mutually acceptable understandings has a chance of succeeding. On the basis of the aforementioned principles, Russia participates in mediation or decides to support relevant efforts of the United Nations or other international or regional organizations.

The President (*spoke in French*): I now give the floor to His Excellency Lord Mark Malloch-Brown, Minister of State for Africa, Asia and United Nations Affairs of the United Kingdom of Great Britain and Northern Ireland.

Lord Malloch-Brown (United Kingdom): I should like to start by joining those who have thanked President Compaore for convening this debate. We have a lot to learn from his own experience in his successful mediation in Togo and Côte d'Ivoire.

But I think today we have benefited from a wealth of knowledge and direct experience around this

table. Not just our friend Lakhdar Brahimi, but so many foreign ministers and the Secretary-General have contributed with their own experiences, alongside other leaders who have spoken. In fact, it strikes me that everybody who has spoken at this table today has arrived at their seat at the table, not insignificantly, through their own direct experience as mediators. Thus, in some ways this has almost been more like a mediators' workshop than a normal meeting of the Security Council. I think that is a tribute to the President for convening this debate today. It does help us put an international spotlight on what can be done to ensure that the international community's mediation efforts are more effective in helping to resolve conflict.

A recent study showed that more than 90 per cent of recent conflicts were resolved by mediation, not by victory on the battlefield. Of course, failure to generate durable peace agreements leads all too often to a resumption of war. Conflict costs Africa an estimated $18 billion a year — a figure it can obviously ill afford as a region.

The United Nations is playing an increasingly important role in mediation efforts, as of course is the African Union (AU). The 2005 World Summit pointed to the need to build the United Nations mediation capacity, and we welcome the establishment of the Mediation Support Unit. There is more to be done, however, to give the United Nations the flexibility and resources it needs. In that regard, the United Kingdom supports the strengthening of the Department of Political Affairs by the General Assembly. It is also critical to build the capacities of regional organizations, and we welcome the AU's 10-year capacity-building programme. It has an important role to play, as we saw earlier this year in Kenya, Côte d'Ivoire and elsewhere.

We should remind ourselves of successful mediation efforts undertaken in recent months. It was under AU auspices, but with strong United Nations support, that Kofi Annan led the international community's efforts in Kenya, as Mr. Brahimi described. The current Secretary-General, Mr. Ban Ki-moon, played a critical role in Burma after Cyclone Nargis. He worked closely with the Association of Southeast Asian Nations (ASEAN) and other partners in the region to broker a deal with the Government that allowed aid to flow to survivors. We applaud the Secretary-General's strong leadership and continue to offer our full support for his engagement on Burma. We hope that the United Nations, ASEAN and the broader international community can bring the same unity of purpose and dynamism to bear in breaking the political deadlock in that country. The Council has made its expectations of the Burmese regime clear. We should remain united in demanding a fair and transparent political process there, beginning with the release of Daw Aung San Suu Kyi. While we welcome the release today of a veteran journalist and close associate of hers, U Win Tin, we cannot forget the 1,000 or so political prisoners who remain in captivity and the ongoing arrests of political activists. We hope that all will be released.

We welcome the appointment of Mr. Bassolé as the joint AU-United Nations Chief Mediator on Darfur. He has our full support as he seeks to build a political process to address a conflict which remains the most serious challenge facing this Council. He should be at the centre of the process, providing support and encouragement and pulling together all the parties, both local and international. At the same time, we call on the Government of the Sudan to cooperate substantially on all aspects of the Darfur problem and to create the conditions in which mediation stands a chance of succeeding.

The agreement between Morgan Tsvangirai and Robert Mugabe in Zimbabwe was the product of a long and difficult mediation effort led by President Mbeki, with the support of the United Nations and the AU. We welcome the agreement. We want it to work. It offers the prospect of a new path towards political stability and recovery for Zimbabwe, which has been blighted by appalling governance for so many years. What is crucial now is action on the ground. The new Government should be formed as soon as possible, and we are ready to provide generous financial support to that Government as we see evidence of it introducing real and credible reforms. The challenge of improving the lives of ordinary Zimbabweans begins now.

Those are all recent examples of mediation at work. We need to learn the right lessons from them. Mediation requires strong and capable leadership, a coherent international effort in support of that leadership, and the resources to make sure it can deliver. But we should not see mediation in isolation. Today's debate builds on the Council's debates in April on peace and security in Africa and in May on post-conflict peacebuilding, under the presidencies of South Africa and the United Kingdom, respectively. Peace

agreements have too often fallen apart. That is often due to the lack of an implementation plan, but also because we do not have the right linkages between mediation processes and the critical recovery and peacebuilding phase.

That is why we believe so strongly that we need to build coherence across the conflict spectrum. That should be a theme of the reports commissioned on the basis of these Security Council debates. Through these we can not only improve the effectiveness of mediation and ensure that the agreements reached are sustained, but also, I hope, strengthen the role of the Security Council through each phase of conflict prevention, the mediation of conflicts, conflict resolution and the implementation of peace agreements — as well, of course, when mediation fails, of the peacekeeping process itself.

The President (*spoke in French*): I now invite His Excellency Mr. Le Luong Minh, Permanent Representative of Viet Nam, to take the floor.

Mr. Le Luong Minh (Viet Nam): I thank you, Mr. President, and the delegation of Burkina Faso for having taken the initiative to organize this high-level Security Council debate on the issue of mediation and settlement of disputes.

States Members of the United Nations, an Organization which was established to save mankind from the scourge of war, commit themselves through the Charter to settling international disputes by peaceful means. Also through the Charter they define concrete means of pacific settlement of disputes, which include mediation, and they entrust the Council with the responsibility to promote the use of those means. Mediation, a customary mode of dispute settlement, has been codified in contemporary international law and has been developed through practice at all levels — bilateral, regional and multilateral — particularly under the sponsorship of the United Nations.

Viet Nam notes with appreciation that mediation has been increasingly employed as an effective tool in resolving disputes and conflicts. Many successful mediation efforts have been made by the United Nations and by regional and subregional organizations. In recent decades, the search for solutions to the conflicts in the Middle East, Cambodia, Haiti, Angola, Kenya, Mali, Mozambique, the Sudan and, most recently, South Ossetia and Zimbabwe, to mention a few, has vividly testified to the effectiveness of these good-offices and mediation activities.

With the establishment in 2006 of the Mediation Support Unit within the Department of Political Affairs of the Secretariat, the United Nations has devoted further attention to mediation activities. We welcome the appointment by the Secretary-General of Mr. Djibril Bassolé, former Foreign Minister of Burkina Faso, as joint African Union-United Nations Chief Mediator for Darfur, and we hope that Mr. Bassolé, with his rich knowledge and experience, will, by means of mediation, make a substantial contribution to bringing about a peaceful, comprehensive and lasting solution to the Darfur conflict.

As a Member of the United Nations, Viet Nam is steadfastly committed to the principle of the peaceful settlement of international disputes. We support every effort to settle disputes by peaceful means, including mediation, in accordance with national law and the United Nations Charter. We hold that, to produce lasting solutions, mediation must be conducted with full respect for national independence and sovereignty and the territorial integrity of States. It must be impartial and non-coercive and must have the consent and full participation of all parties concerned.

As a member of the Association of Southeast Asian Nations (ASEAN), whose success owes much to its adherence to the principle of the peaceful settlement of disputes, Viet Nam is doing and will continue to do its utmost to contribute to mediation efforts aimed at finding peaceful solutions to situations of dispute among ASEAN member States, in accordance with the Association's Treaty of Amity and Cooperation in Southeast Asia.

My delegation believes that this debate provides a timely opportunity for the Council to take stock of the successful and failed experiences of mediation endeavours in various parts of the world, to assess the significance and conditions of United Nations activities and mechanisms related to mediation as well as the roles of existing subregional and regional mediation mechanisms, and to explore avenues for improving the effectiveness of mediation efforts and the role of the United Nations, in particular the Security Council, in mediation processes. We therefore support the agreed conclusions of the Security Council contained in the draft presidential statement on this topic.

The President (*spoke in French*): I now invite His Excellency Mr. Zalmay Khalilzad, Permanent Representative of the United States of America, to take the floor.

Mr. Khalilzad (United States of America): On behalf of the United States, I would like to congratulate President Compaore and the delegation of Burkina Faso on highlighting the importance of mediation and the settlement of disputes. Burkina Faso has played a vital role in helping to bring peace to conflicts throughout Africa. And, as others have noted, President Compaore personally has been active as a mediator in regional conflicts. In 2006, the President served as mediator of the inter-Togolese dialogue, which resulted in an agreement between the Government and opposition parties. He also served as mediator in the crisis in Côte d'Ivoire, brokering the peace agreement that was signed in March 2007. We thank President Compaore for his many contributions.

Furthermore, the appointment of former Burkinabé Foreign Minister Bassole as the new joint United Nations-African Union Chief Mediator for the Darfur conflict is the most recent contribution by Burkina Faso in assisting in negotiating peace. Minister Bassole's mission has the potential to re-energize the peace process, and we support his efforts.

The United States has favoured the strengthening of mechanisms of the international community for mediation and the peaceful settlement of disputes. The United States has strongly supported the role of the Security Council in helping to prevent disputes from escalating into dangerous conflict. Over the past several years, the United States has been pressing in the Security Council for action to deal with threats to international peace and security that have emerged, including supporting the adoption of Security Council resolution 1625 (2005), a declaration on the need to strengthen the effectiveness of the Security Council's role in conflict prevention, particularly in Africa.

The United States welcomes the statement of the Secretary-General and his report of January 2008 (S/2008/18), stating that a culture of conflict prevention is taking hold at the United Nations, and that "the commitment to building and mainstreaming its tools has taken root" (*para. 2*).

The United States has invested heavily in supporting conflict prevention through early warning, conflict assessment and efforts to promote early response. These investments have strengthened the conflict prevention capabilities of the United States and have resulted in increased coordination with the efforts of regional organizations, such as the Economic Community of West African States (ECOWAS) and the African Union.

The international community must continue to work to strengthen and deepen the pool of potential international mediators and facilitators. For example, ECOWAS has established a Council of the Wise. Members of that group of experienced statesmen and diplomats from the region have already had successes in mediating in member countries. The United States believes that there is even greater potential for that organization to work within the region, and is developing training programmes and other forms of support for the group.

We believe that successful dispute resolution requires that States be active and politically engaged in seeking a settlement. It is not enough to turn a problem over to international organizations and hope that after a time a solution will emerge. Such formal resolution mechanisms have a vital role to play and can be a decisive factor in resolving disputes, but in the most serious crises there is no substitute for the application of political will and energy by States. Sometimes, States may find that an ad hoc mechanism is the most effective way forward. We believe that formal negotiations and mediation, where States must engage fully and inclusively and real political effort must be expended, are often the best way to address the most serious international disputes.

We have wholeheartedly embraced the perspective of Article 33 of the United Nations Charter, which suggests an array of resolution mechanisms to disputing parties. The United States also strongly supports the work of the Peacebuilding Commission, as it embodies all aspects of the work of the United Nations — peace, development and human rights. By integrating them into one coherent approach, the United Nations helps to close gaps in the international response to countries emerging from conflict. The work of the Peacebuilding Commission will help keep countries from falling back into conflict. The Peacebuilding Fund has provided catalytic support not only to Burundi and Sierra Leone, but also to the Central African Republic, Côte d'Ivoire and Guinea.

In closing, I wish to reiterate that the United States is firmly committed to United Nations Charter principles for resolving international disputes peacefully, including the importance of mediation. We are not wedded to any particular theory of how that should be done. Instead, we believe in a pragmatic approach and believe in the need to rely upon those mechanisms and mediators that can best reduce, manage or resolve disputes.

The President (*spoke in French*): I now call on His Excellency, Mr. Giadalla A. Ettalhi, Permanent Representative of the Libyan Arab Jamahiriya.

Mr. Ettalhi (Libyan Arab Jamahiriya) (*spoke in Arabic*): It was a great honour for us to see His Excellency Mr. Blaise Compaore, President of the Republic of Burkina Faso, presiding over our Council and managing our work, following the able leadership of our colleague Ambassador Michel Kafando. We are also honoured by the presence of our other distinguished guests.

Today's meeting adds value and special importance to our deliberations and falls within the framework of the efforts and firm determination of President Compaore and the other leaders of Africa to achieve lasting security, without which our continent will not enjoy sustainable development.

The concept paper that the delegation of Burkina Faso has prepared focuses on mediation as a means to settle disputes that is given special priority in Article 33 of the United Nations Charter and is reaffirmed by the Statute of the African Union and many other texts. The option of mediation offers ideas and proposals to urge the parties to a dispute to resort to dialogue. At minimum cost, either before or after a conflict breaks out, mediation can ensure that the parties find a way to end it and to build and maintain peace. Mediation that takes the interests and requirements of local parties into account is appropriate to the situation in Africa in particular and the international situation in general, especially since the end of the cold war and the subsequent search for consensus solutions.

Moreover, neither the non-binding nature of mediation, compared to other peaceful means of settlement, nor the fact that mediation may not achieve its objectives in all cases undermines its importance, because mediation allows the parties to re-evaluate or reconsider their positions and thus to move forward in their efforts to reach a sustainable peaceful settlement to conflict.

There is no doubt that the effectiveness of mediation rests not only upon the impartiality of the mediator and his skills and knowledge of the geographical, historical and cultural framework of the conflict and its root causes, but also on the unity and coordination of regional and international efforts. That has been affirmed by international and African reports and documents on African conflicts and on the strategies and means for managing them.

Allow me to state frankly nevertheless that we are still far from implementing our obligations and the recommendations offered in those documents, nor have we yet achieved an international African partnership that integrates resources and capabilities and renounces circumstantial, partial and expensive approaches in favour of comprehensive long-term solutions. That has become bitterly clear from my country's experience with mediation initiatives over the past decades.

Much remains to be done and there are still structures and mechanisms that require development. The noble efforts of the Secretariat and its resources are still inadequate to the logistical and planning support needed to enhance African capabilities and in light of the diplomatic efforts that the African continent has witnessed from the establishment of the Organization of African Unity in the 1960s to this very day.

We must reconsider the existing approach in light of the lessons of the past and support mediation efforts that would eliminate or at least alleviate human suffering and the international system and the power of the Security Council as the main guardian of international peace and security. Therefore, the African Union, with its dynamism and growing capabilities and the will and determination of its leaders, can be a model for United Nations ties with regional organizations and the maintenance of international peace and security in a regional context. That is what we hope.

In closing, Mr. President, I would like to thank your country's delegation for preparing the draft presidential statement. We support it fully and look forward to adopting it at the end of this session.

The President (*spoke in French*): I call on His Excellency Mr. Jorge Urbina, Permanent Representative of Costa Rica.

Mr. Urbina (Costa Rica) (*spoke in Spanish*): Allow me to begin my statement, Sir, by recognizing your country's leadership in mediation and the peaceful settlement of disputes on the African continent. I also wish to join others in thanking you and your delegation for convening this meeting, as well as for the concept paper that you provided us with to guide our discussion this afternoon. I wish to respectfully welcome the presence among us today of Mr. Brahimi, whose work and experience are a key part of this Organization.

Costa Rica's statement at this debate will address the activities of the United Nations Organization in the field of mediation and the settlement of disputes. However, we feel compelled to bear in mind the role played by the regional organizations that make valiant efforts to prevent conflicts and resolve disputes on all continents, as has been affirmed in recent weeks by the interventions of the Southern African Development Community in Zimbabwe, the Association of Southeast Asian Nations in Thailand and Cambodia, the Organization of American States in Bolivia, and the European Union in the conflict in Georgia.

Over seven years ago, the Secretary-General submitted his first report (S/2001/574) on the prevention of armed conflict, in which he urged us to move from a culture of crisis response to one of crisis prevention. That transition, however, is incomplete. The States Members of the Organization have been unable to reach agreement on allocating indispensable resources for the Organization to work towards conflict prevention, in terms of well-designed prevention that would address the operational, structural and systemic aspects that were identified by the Secretary-General in his second report (A/60/891)on that subject, in 2006.

Clearly, the subject of conflict prevention concerns all Members. Therefore, we should redouble our efforts to strengthen the Organization's capacity for preventive diplomacy, so as to overcome, once and for all, the obstacles that to date have made that impossible. As the saying goes, an ounce of prevention is worth a pound of cure. In that regard, the idea of allocating 2 per cent of the annual peacekeeping budget to strengthening the capacity for preventive diplomacy, as the Secretary-General has suggested, merits urgent consideration by Member States.

The exponential increase in the peacekeeping budget is an unequivocal sign of the very limited capacity of the United Nations to prevent the burgeoning of conflicts that endanger international peace and security. The $7 billion spent on peacekeeping over the current biennium stand in contrast to the scant resources that the Member States have approved for conflict prevention endeavours. Clearly, that situation must be remedied.

Costa Rica believes those who are opposed to increasing the preventive capacity of the Organization by claiming other priorities are wrong. There will always be important issues, but none are as important as preserving the possibility for every human being to live in a peaceful environment. Nor can we accept opposition by those who consider the necessary follow-up to conflict prevention to be a mechanism of foreign interference. Even more unacceptable is opposition based purely on budgetary grounds. Not rectifying that situation would be a mistake that we would all continue to pay for.

This is also an opportunity to exchange ideas on the context within which the actions of the Secretary-General are couched. Greater proactivity is needed in developing the institutional capacity to prevent conflicts. The good offices of external actors to neutralize sources of friction within a society or between States have proved to be a necessary and useful instrument. However, quite often that tool does not deliver the expected dividends owing to the constraints of its context. At times, poor coordination with regional or subregional initiatives undermines the effectiveness of good offices.

On other occasions, coordination with other organs of the Organization weakens the effectiveness of the good offices of the Secretariat, in particular in the light of the obstruction that can derive from its relationship with the Security Council.

Here, we believe it important to emphasize the huge value of proximity and impartiality in ensuring the successful outcome of good offices actions. For that reason, we consider it important for the United Nations to focus on strengthening regional organizations, so that they can participate effectively in the peaceful settlement of disputes before such disputes become a threat to international peace and security to be addressed by the Security Council.

The Secretary-General must have a margin to act that is as broad as possible, so as to carry out his good offices functions. That is stipulated in Article 100 of the Charter, which guarantees the total independence of the Secretariat from every State and obliges all States to respect its international character and not to seek to influence it in the discharge of its responsibilities.

In that regard, Costa Rica believes it important to distinguish between those situations in which the Secretary-General acts of his own accord or at the request of the interested parties, and those situations in which he acts at the request of the Security Council. In the former, the main obligation is to the parties and, therefore, discretion is a valued asset. From our experience, we know that that can create tension with the Council or with some of its members. However, we also know that, in some cases, allowing the Secretariat to stand back and act as an impartial and discreet broker, untethered by the political dynamic of the Security Council, is of great value in maintaining international peace and security. Clearly, when good offices are part of the mandate given by the Council, the priority is the effectiveness of the mission as a whole.

To sum up, Sir, your delegation's convening of this important debate must provide the opportunity to rectify the situation. Costa Rica welcomes the proposal of the Secretary-General and will support any efforts to develop greater institutional capacity that is geared towards the prevention and peaceful solution of conflicts. My country will also support the strengthening of links with regional and subregional organizations and any initiative geared towards increasing their capacity to mediate and resolve the disputes that arise within their geographic scope of action.

In addition, we call on the Secretary-General to keep up his efforts in terms of crisis anticipation and to offer to mediate for the sake of maintaining international peace and security, the irreplaceable mainstay for the greater well-being of all.

The President (*spoke in French*): I now invite His Excellency Mr. Liu Zhenmin, the representative of China, to take the floor.

Mr. Liu Zhenmin (China) (*spoke in Chinese*): I congratulate Burkina Faso on its assumption of the presidency of the Council for this month. I was pleased to see President Compaore presiding over today's meeting. I wish to welcome the Secretary-General, Mr. Ban Ki-moon, to this meeting and to thank him for his statement. I wish also to welcome Mr. Lakhdar Brahimi.

As clearly stated in Article 33 of the Charter of the United Nations, mediation is an important instrument for the peaceful settlement of disputes. How to maintain international peace and security more effectively by means of mediation is a question that is receiving increasing attention from the international community. Here, I would like to express my appreciation to Burkina Faso for taking the initiative to convene this meeting.

For many years, the United Nations has played an important role in mediation and the settlement of disputes. I wish to emphasize the following with regard to how the international community can make better use of mediation in the search of solutions to disputes.

First, the Security Council should give more attention and greater play to its role in preventive diplomacy. The Council has always had a primary focus on peacekeeping and has authorized the deployment of a great number of peacekeeping missions. In fact, to defuse potential conflicts by such preventive means as mediation costs far less and produces much better results than deploying peacekeeping operations after conflicts erupt. In the future, the Council should follow with close attention matters that are brought to it by Member States and the Secretary-General, in accordance with the relevant provisions of the Charter, and should work out a comprehensive preventive strategy in light of the particular circumstances of each crisis.

Secondly, mediators should remain neutral. The international community should back them up with constructive support. Facts have shown that neutrality and fairness constitute the basic conditions for successful mediation. When its integrity is tainted by self-interest or compromised by partiality in favour of one party over the other, mediation can in no way bring about lasting peace. On the contrary, it will only further complicate the situation. Mediators should also have an in-depth understanding of the history and reality of the situation in question and respect the views of all the parties concerned in order to come up with solutions that are relevant and operable.

With regard to factions that are intransigent in their resistance to mediation, States that have influence

over them should do their part to collaborate with the efforts of the mediators.

Thirdly, the United Nations should give vigorous support to the African Union and African subregional organizations in their mediation efforts. In recent years, African regional and subregional organizations such as the African Union, the Economic Community of West African States and the Southern Africa Development Community have made unremitting efforts in the mediation and settlement of African conflicts and have achieved positive results in Côte d'Ivoire, Sierra Leone, Burundi and Zimbabwe. China calls upon the United Nations to respond more positively to the reasonable requests of Africa, give high priority to capacity-building in its cooperation with Africa and enhance cooperation with the African Union and subregional organizations in the fields of training, institution-building, information and experience sharing and logistical support, where the United Nations enjoys an advantage. China further calls upon the United Nations to implement effectively the 10-year capacity-building programme between the United Nations and the African Union and mobilize other international donors to provide more support to Africa.

Important as it is for the settlement of disputes, mediation is not a panacea. In many cases, it can only build a bridge between the parties concerned. While it may not be able to build up trust and goodwill among various parties, it can serve to dispel suspicion and misunderstanding. While it may not be able to lead to peace, it can serve to avoid conflict. Real solutions require all parties concerned to demonstrate good faith and meet each other halfway. Fundamentally, a lasting settlement of any dispute requires an integrated approach that includes parallel efforts to achieve economic development, reduce poverty, enhance administrative capacity, advocate the culture of reconciliation and promote judicial justice.

China always stands for the proper settlement of disputes by peaceful means such as mediation, dialogue and negotiations, and supports the efforts made by the United Nations, regional organizations and the countries concerned to that end. China will continue to take a responsible approach and play a constructive role in addressing relevant hotspot issues.

The President (*spoke in French*): After consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council recalls the purposes and principles of the Charter of the United Nations, and reaffirms its commitment to the pacific settlement of disputes, including through mediation, in conformity with the Charter of the United Nations, in particular Chapter VI. The Council recalls all its relevant previous statements and resolutions.

"The Security Council underlines the importance of mediation as a means of pacific settlement of disputes, and encourages the further use of this mechanism in the settlement of disputes. The Council reaffirms the crucial role of the United Nations in this regard.

"The Security Council affirms that, as the organ with the primary responsibility for the maintenance of international peace and security, it has a responsibility to promote and support mediation as an important means for the pacific settlement of disputes.

"The Security Council emphasizes the importance of the actions undertaken by the Secretary-General, in using his good offices and his representatives, special envoys, and United Nations mediators in promoting mediation and in the pacific settlement of disputes. The Council takes note of the establishment of the Department of Political Affairs Mediation Support Unit, which provides expertise for supporting the mediation efforts of the United Nations and regional and subregional organizations.

"The Security Council requests the Secretary-General to continue to ensure that mediation processes conducted by or under the auspices of the United Nations are guided by the purposes and principles of the Organization and that mediators are experienced, impartial, have a good knowledge of all the stakeholders, facts and circumstances of any dispute to which they have been assigned, and are provided with the necessary support and flexibility to approach mediation according to the specificities of the disputes; to this end, the Council encourages the Secretary-General to consider ways to strengthen the Secretariat's capabilities.

"The Security Council notes the important contribution of regional and subregional organizations, civil society and other stakeholders to the pacific settlement of disputes, in particular through mediation, and commends them for their efforts. The Council is resolved to strengthen United Nations support to such mediation efforts through improved cooperation, in particular in Africa; the Council encourages other bilateral and multilateral partners to do likewise.

"The Security Council underlines the importance of engaging the potential and the existing capacities and capabilities of regional and subregional organizations in mediation efforts, and welcomes the promotion of regional approaches to the pacific settlement of disputes.

"The Security Council notes that women have an important role to play in the settlement of disputes, stresses the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and calls upon the Secretary-General of the United Nations and the heads of regional and subregional organizations to take into account the gender aspect during mediators' selection, as well as the approach and perspective that women can render in mediation processes.

"The Security Council highlights the importance of considering peacebuilding and recovery requirements in the mediation process to help build the foundations for sustainable peace, and stresses that the Peacebuilding Commission has a role to play in the promotion of mediation.

"The Security Council emphasizes the need to ensure the coherence of mediation processes by or under the auspices of the United Nations, through the improved coordination of efforts with others actors, including regional and subregional organizations, in order to enhance the effectiveness of international efforts.

"The Security Council also stresses that no mediation initiative can be viable without ownership and full involvement of all relevant parties to the dispute throughout the process. The Council reaffirms that conflict prevention and pacific settlement of disputes should be at the core of mediation efforts.

"The Security Council requests the Secretary-General to submit, within six months of the adoption of this statement, a report on mediation and its support activities, which takes into account experiences of the United Nations and other key actors, and makes recommendations for enhancing the effectiveness of United Nations mediation."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2008/36.

I would like to thank all the participants for their contributions to this meeting. My thanks go particularly to all the heads of State or Government, ministers and other representatives, and to the Secretary-General.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The meeting rose at 5.20 p.m.